

Crime prevention policy	
EU- priority	Drugs
Country	IRELAND
Year	2019

1. Overview of the field

Definition of drugs

The effect of declaring a substance controlled under the Misuse of Drugs Act 1977 (as amended), either in the Schedule to the Act or by Government Order, is to make it an offence to possess that substance. However, the Minister for Health may then make orders and regulations to give effect to the Government Decision by placing the substances which have been declared controlled into schedules, in accordance with Ireland's obligations under international conventions. Different levels of control apply to substances in different schedules, based on the health risk, potential for misuse and validity of legitimate use. Section 4 allows the Minister to regulate which persons or groups of persons may possess a substance (e.g. pharmacists) and for which purposes. A breach of regulations made under section 4 results in an offence of possession. The Minister may make an order under Section 3 of the Act, thereby exempting from the offence of possession certain substances whose potential for abuse is considered low, these are primarily medicines with small quantities of active ingredients.

Assessment of trends and developments

Cross Border Organised Crime Assessment (2018)

Of the four 'traditionally known' illegal drugs (cannabis, cocaine, heroin, and MDMA) cannabis retains its status as the most prevalent. The majority of cannabis seized is in the form of shaped blocks of cannabis herb or cultivated cannabis plants, but cannabis resin as well as other derivatives, such as cannabis oil, are present in significant quantities.

With the significance of new psychoactive substances (NPS) having been reduced through legislation and law enforcement efforts, cocaine is the predominant illegal stimulant.

In a similar vein, cocaine, MDMA and related drugs have seen a resurgence in popularity in recent years. These drugs share their market segment with other substances such as ketamine, designer drugs, and illegally obtained prescription drugs.

While these drugs are well-suited to modern distribution channels such as the 'dark net', they remain a relatively small portion of drugs being imported by OCGs which

deal primarily in cannabis, cocaine, and heroin. OCGs involved in ‘poly drug’ dealing tend to be smaller in size than traditional wholesale importers and this can make tackling the problem at a strategic level much more difficult.

While still not a drug of national scale, crack cocaine will require increasing attention into the future.

Heroin prevalence remains stable and entrenched, and is a significant societal and law enforcement problem.

The abuse of illegally obtained prescription medication has become an issue of significant concern in recent years. It is noted that people are taking these substances in addition to [prescribed] medication for pain management and medication to enhance cognitive and/or physical functions. Another identified trend is the use of drugs such as amphetamines in third-level institutions, which are frequently abused for a short-term gain, with potentially dangerous long-term consequences. These drugs may also be abused alongside the traditional known illegal drugs referred to above.

The combating of the illegal sale of pharmaceutical products is becoming increasingly difficult as legitimate businesses and pharmacies supplement both ‘dark net’ and OCG sources. The abuse of prescription drugs is expected to become an issue of strategic importance in coming years.

The Future of Policing in Ireland

In December 2018, the Government endorsed the report of the *Commission on the Future of Policing in Ireland (CoFPI)* and agreed to accept all of its 157 key recommendations (136 in full and 21 in principle), including “enhanced training in mental health and substance misuse awareness, at least part of it jointly with members of the relevant expert services”

Recent overview of statistics and research

Drug law offence data are the foundation for monitoring drug-related crime and are also a measure of law enforcement activity and drug market dynamics. PULSE (Police Using Leading Systems Effectively) is a computer information system used by An Garda Síochána to record incidents of crime, including drug crime.

A further recommendation in the report of the *Commission on the Future of Policing in Ireland (CoFPI)* is that “there is an urgent need to address the quality of the crime data in Ireland, and the way in which police record crime investigations” as data should be seen as “a strategic asset” and “a basis for decision making about police strategies, methods and resourcing”.

The Central Statistics Office (CSO) produces yearly and quarterly crime statistics (under reservation) using data from An Garda Síochána’s PULSE system. The latest figures for Controlled Drug Offences for 2018 are:

Recorded Crime Offences Under Reservation (Number) by Type of Offence and Year ([source](#))

	2018
10 ,Controlled drug offences	18,390
1011 ,Importation of drugs	15
1012 ,Cultivation or manufacture of drugs	201
1021 ,Possession of drugs for sale or supply	4,183
1022 ,Possession of drugs for personal use	13,445

Ireland Drug Report 2018 ([link](#))

The Health Research Board (HRB) provides data on the drug situation in Ireland to inform European monitoring and trends in line with contractual commitments to the European Monitoring Centre on Drugs and Drug Addiction (EMCDDA), resulting in the latest drug country report for 2018 that presents the top-level overview of the drug phenomenon in Ireland, covering drug supply, use and public health problems as well as drug policy and responses.

UNODC Annual Report Questionnaire ([link](#))

Ireland also collates information to respond to the yearly UNODC Annual Report Questionnaire (ARQ), providing information on:

- **Legislative and Institutional Framework**
- **Comprehensive Approach to Drug Demand Reduction and Supply**
- **Extent and Patterns of and Trends in Drug Use**
- **Extent and Patterns of and Trends in Drug Crop Cultivation and Drug Manufacture and Trafficking**

2. Crime strategy and coordination

Objectives of the crime strategy

Drug law enforcement is a key priority area for An Garda Síochána and the Government. In line with its Policing Plan, An Garda Síochána continues to prioritise tackling drugs and organised crime as a core focus of its work.

Garda strategies are aimed at undermining and disrupting the activities of organised criminal networks involved in the trafficking and distribution of illicit drugs, including gathering intelligence on individuals and organisations involved in the distribution of drugs (including the support structures underpinning this activity), conducting targeted operations on criminal networks based on intelligence gathered and working in collaboration with other law enforcement agencies both within and outside the jurisdiction to address the national as well as international aspects of drug trafficking and distribution.

Multi-disciplinary approaches are utilised to ensure that those involved in illicit drugs activity are effectively targeted including through the use of drugs legislation, the Proceeds of Crime legislation, money laundering legislation and the powers of the Criminal Assets Bureau (CAB).

An Garda Síochána Modernisation and Renewal Programme 2016-2021

An Garda Síochána Modernisation and Renewal Programme 2016-2021 provides a mission, direction, plans and challenges spanning a five year period, including to “enhance public awareness of the dangers and impacts of serious and organised crime”. This will be achieved by strengthening work with communities, statutory and voluntary agencies reducing the harmful effects caused by drugs and other organised crime activity to local communities by proactively targeting street level drug dealing and the proceeds of same.

Role of prevention in the crime strategy on state/regional/local level

An Garda Síochána

The Garda National Drugs and Organised Crime Bureau (GNDOCB) role is to proactively target organised crime groups operating regionally, nationally and internationally. The specific strategies put in place by An Garda Síochána, to address the sale, supply, importation and distribution of illegal drugs include, inter alia, the following:

- Intelligence led investigations
- The operation of dedicated Drug Units across the country
- Ongoing training programmes for personnel as Divisional Asset Profilers, who have the specific remit of targeting assets of persons who are suspected of being involved in the importation, sale and supply of drugs at local levels
- A joint action plan of the Drug Related Intimidation Reporting Programme in conjunction with the National Family Support Network
- Continued co-operation with the Revenue Commissioners (Customs Service) under the terms of the Memorandum of Understanding in the proactive investigation of persons suspected of being involved in drug-trafficking
- Strategic partnerships at international level targeting drug trafficking including in working closely with relevant law enforcement agencies such as Interpol and Europol.
- Participation in the Maritime Analysis Operations Centre for Narcotics based in Lisbon (MAOC-N)

Implementation of the policy (which level is responsible for the implementation and how is the implementation coordinated?)

Reducing Harm, Supporting Recovery 2017 – 2025

The Department of Health, under the lead of Minister of State Catherine Byrne, is responsible for progressing the development of the new Strategy for the period 2017 – 2025. The approach taken in this strategy is that of an integrated public health approach to substance misuse in light of the Programme for Government commitment to support a health-led rather than a criminal justice approach to drugs use.

Within the Strategy there are 50 actions for the period 2017-2020, providing an opportunity for the development of a further set of actions for the period 2021 - 2025.

A National Oversight Committee, chaired by the Minister of State, to give leadership and direction to support implementation of the strategy is a cross-sector membership committee from the statutory, community and voluntary sector, as well as clinical and academic expertise, including representation from An Garda Síochána.

Department of Justice and Equality

The Department of Justice & Equality (DJE) has responsibility as a lead agency or partner in a number of actions that have a variety of Justice related matters, including: Prisoners, Spent Convictions, Alternatives to Prosecution, Asset Profiling and Drug-related Intimidation.

3.1.31 - Keep legislation under review, against the background of national, EU and broader international experiences and best practice, to deal with emerging trends, including:

- new synthetic substances;
- new or changed uses of psychoactive substances; and
- the evolving situation with regard to drug precursors and the surface web and dark net drug markets

Lead: DOH, DJE (Joint)

Partners: AGS, Revenue, HPRA

3.1.33 - Implement the recommendations of the Final Report of the Working Group on a Strategic Review of Penal Policy of July 2014 relating to drug-offending behaviours

Lead: DJE

3.1.34 (a) - Carry out an independent evaluation of the Drug Treatment Court (DTC)

Lead: DJE

3.1.34 (b) - Continue to support the operation of the Drug Treatment Court, having regard to recommendations made in 2013 review, pending the outcome of the evaluation

Lead: DJE

3.1.35 - Establish a Working Group to consider the approaches taken in other jurisdictions to the possession of small quantities of drugs for personal use in light of the Report of the Joint Committee on Justice, Defence and Equality on a Harm Reducing and Rehabilitative approach to possession of small amounts of illegal

drugs

Lead: DJE, DOH (Joint)

Partners: AGS, Relevant Depts and Agencies

3.1.38 (d) - Provide funding in the capital expenditure programme for the construction of a purpose built new laboratory for Forensic Science Ireland with €6m prioritised to commence the project immediately

Lead: DJE

3.1.38 (e) - Strengthen the legal robustness of Presumptive Drug Testing (PDT) to contribute to the timely prosecution of Section (3) drug-related offences

Lead: DJE

4.1.41 - Build on the achievements of Local Policing Fora in providing an effective mechanism for building and maintaining relationships between an Garda Síochána and the local communities, in particular in relation to the impact of the drugs trade

Lead: DJE, AGS

5.1.47 - Require all publicly funded drug and alcohol services to complete the NDTRS for all people who use services

Lead: DOH, DJE (Lead)

Partner: HSE, IPS, C&V sectors

An Garda Síochána

An Garda Síochána are a key stakeholder in strategically reducing the demand for drugs in conjunction with Government agencies, evidenced in their role in strategic actions of *“Reducing Harm, Supporting Recovery” - A health-led response to drug and alcohol use in Ireland 2017 – 2025*, and are lead agency for the following strategic actions:

- **3.2.36 - Support the role of law enforcement authorities in monitoring drug markets, in particular new drug markets, surface web and darknet drug markets**
- **3.2.37 - Consider the case for the use of Community Impact Statements within the Criminal Justice System in Ireland**
- **4.1.41 - Enhance the relationship between an Garda Síochána and local communities in relation to the impact of the drugs trade**
- **4.1.42 - Strengthen the effectiveness of the Drug-Related Intimidation Reporting Programme**

Stakeholders (working groups, specialised agencies, partners, etc)

Joint Policing Committees

The Joint Policing Committees monitors two broad areas: firstly, levels and patterns of crime, disorder and anti-social behaviour in its designated area, including patterns

and levels of misuse of alcohol and drugs; secondly, the broader issue of factors underlying and contributing to crime, disorder and anti-social behaviour. A further function is to advise the local authority and An Garda Síochána on how they might best perform their functions with a view to preventing crime, disorder and anti-social behaviour within the area.

Local Policing Fora

Local Policing Fora are intended to deepen the engagement between An Garda Síochána, the local authority and neighbourhood communities, operating on a more local level to discuss and make recommendations on matters affecting the neighbourhood to the Joint Policing Committees

Local and Regional Drug Task Forces

Local and Regional Drug and Alcohol Task Forces (LDATFs and RDATFs) play a key role in assessing the extent and nature of the drug problem in their areas and coordinating action at local level so that there is a targeted response to the drug problem in local communities. Their central role is to ensure the implementation of the National Drugs Strategy - *Reducing Harm, Supporting Recovery 'A health-led response to drug and alcohol use in Ireland 2017 - 2025'* at a local level by overseeing co-ordination and co-operation between services and by consulting with local communities to design and deliver services.

Drug and Alcohol Task Forces comprise representatives from a range of relevant agencies, such as the Health Services Executive (HSE), the Gardai, the Probation Service, Education and Training Boards, Local Authorities, the Youth Service, as well as elected public representatives and Voluntary and Community sector representatives.

Membership of the National Oversight Committee

<u>SECTOR</u>	<u>BODY</u>
Statutory	Department of Health – Drugs Policy Unit
Statutory	Department of Health – Health and Wellbeing Division
Statutory	Health Service Executive
Statutory	Health Research Board
Statutory	Department of Justice and Equality
Statutory	An Garda Síochána
Statutory	Irish Prison Service
Statutory	Probation Service
Statutory	Revenue Customs Service
Statutory	Department of Children and Youth Affairs
Statutory	TUSLA
Statutory	Department of Education and Skills
Statutory	Department of Social Protection
Statutory	Department of Housing, Planning and Local Government
Statutory	Department of Transport, Tourism and Sport
Community	Citywide Drug Crisis Campaign
Community	National Family Support Network
Community	Union for Improved Services Communication and Education
Voluntary Sector	Voluntary Drug Treatment Network
Task Force	Local Drug and Alcohol Task Force Chairs Network
Task Force	Local Drug and Alcohol Task Force Coordinators Network

Task Force	Regional Drug and Alcohol Task Force Chairs Network
Task Force	Regional Drug and Alcohol Task Force Coordinators Network
Clinical Expert	To be appointed by Minister
Clinical Expert	To be appointed by Minister
Academic Expert	To be appointed by Minister

Participation in European/ international networks, working groups, etc.

Department of Justice and Equality

The Department of Justice & Equality participate and attend a number of international meetings including:

- European Union Horizontal Working Party on Drugs (HDG)
- European Union Standing Committee on Operational Cooperation on Internal Security (COSI)
- United Nations Commission on Narcotic Drugs (CND)
- United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ)
- United Nations Convention against Transnational Organized Crime (UNTOC)

An Garda Síochána

The Garda National Drugs and Organised Crime Bureau (GNDOCB) works to disrupt, dismantle and prosecute groups and individuals involved in serious organised criminal activity. Officers attached to the Bureau attend a number of operational co-ordination meetings in Europe, Asia and the United States of America to advance ongoing criminal investigations.

The GNDOCB has a diverse stakeholder group and a number of key partners with whom it interacts regularly including Revenue's Customs Service, Europol and Interpol.

The GNDOCB also sit on a number of groups and committees including:

- The Maritime Analysis and Operations Centre (Narcotics) MAOC N (an interagency and international maritime operational platform)
- The Standing Committee on Operational Co-operation on Internal Security (European Union) COSI; which facilitates, promotes and strengthens coordination of EU member states' operational actions related to EU's internal security.
- EUROPOL - EMPACT (European Multi-Disciplinary Platform Against Criminal Threats)

- **The Paris Pact Treaty, Expert Working Group (EWG) on Law Enforcement Training in Support of Cross-border co-operation (an international partnership to combat illicit traffic in Opiates originating in Afghanistan)**
- **The Pompidou Group, an expert group on cybercrime linked to drugs**

3. Good practices

Overview of recent good practices, prevention programs, etc.

The Joint Agency Response to Crime (JARC) is a strategic offender management initiative which aims to:

- **Develop and strengthen a multi-agency approach to the management of prolific offenders;**
- **Prioritise such offenders for targeted interventions and supports to address their behaviour; and**
- **Reduce crime and victimisation in local communities.**

JARC participants are closely monitored by the relevant agencies at all times. Any negative behaviour, and particular any further offending, is quickly detected and dealt with through effective inter-agency co-operation.

The Department of Justice & Equality, An Garda Síochána, the Probation Service and the Irish Prison Service are working together on a standardised JARC evaluation framework to bring greater consistency across the programmes in such matters as selection and de-selection criteria, allocation of resources, measurement of harm, costs and benefits, and data gathering.