

Ms. Miriam Reilly

info@sdblincoco.ie

Minister's Reference: DJE-MO-06309-2022

Dear Ms. Reilly,

Thank you for your email to the Department of Justice. The Minister for Justice, Ms. Helen McEntee TD, has asked me to respond on her behalf.

I hope you can appreciate that the licensing of controlled drugs is a matter for the Minister for Health under the Misuse of Drugs Acts 1977 to 2016 and regulations made thereunder.

The Department of Health leads on Government policy in this area, and this policy is guided by the national drugs strategy "Reducing Harm, Supporting Recovery - a health led response to drug and alcohol use in Ireland 2017-2025". The matter of changing the law as it currently stands, and introducing new legislation and drug policy related to cannabis, lies with the Minister for Health, Stephen Donnelly, and the Minister of State with responsibility for Public Health, Wellbeing and the National Drugs Strategy, Frank Feighan.

The Government's strategic approach is health-led to reduce demand while balancing this with reducing access to illegal drugs. It also aims to reduce the numbers criminalised for the possession of drugs for personal use, diverting these people to health and diversion treatments to address their habits and behaviours. While the strategy aims to support the most vulnerable people who use drugs, it is also matched with strong enforcement measures across government to tackle the supply of illegal drugs.

You may wish to make contact with the Department of Health in relation to this matter. The Department can be contacted by email at info@health.gov.ie or by post at Block 1, Miesian Plaza, 50 – 58 Lower Baggot Street, D02 XW14.

You may be interested to know that An Garda Síochána have collaborated with the Director of Public Prosecutions on an expansion of the Adult Cautioning Scheme so that it includes Offences under Section 3 of the Misuse of Drugs Act 1977/84 (Simple possession). This will relate to the possession of cannabis and cannabis resin only. No other controlled drugs are permitted under the Adult Cautioning Scheme.

An Adult Caution for any of these four offences can only be considered in respect of an offence committed on or after the 14th December 2020 and cannot be applied retrospectively. An Adult Caution is an alternative to the prosecution of certain persons against whom there is evidence of the commission of a scheduled criminal offence where the prosecution of such offence is not required in the public interest.

I trust that this will be of assistance to you

Yours sincerely,

Emma McHugh

Private Secretary to the

Minister for Justice

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