| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1859  Responded to: 12 September 2024 |
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Your recent request for information is replicated below, together with our response.

## Please provide information for each of the following periods: 1st April 2020 – 31st March 2021, 1st April 2021 – 31st March 2022, 1st April 2022 – 31st March 2023, and 1st April 2023 – 31st March 2024.

## In Scotland:

## What was the total number of people who received a recorded police warning 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.

I have included a table at the bottom of this letter which provides the number of Recorded Police warnings by age for misuse of drugs,

Please note however, with regards to providing ethnicity, gender and information prior to April 2023, I can advise you that Police Scotland does not hold the above requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

To explain, Police Scotland are only able to provide last 2 financial years as data refreshes therefore this will no longer be recorded. With regards to Gender and Ethnicity we do not record this information.

## What was the total number of people who received a police fixed penalty notice 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 2 table in the Appendix.

## What was the total number of young people who received a restorative justice warning 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 4 table in the Appendix.

## What was the total number of young people who were referred to an Early and Effective Intervention (EEI) 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 5 table in the Appendix.

## What was the total number of people referred to the procurator fiscal? 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.

In accordance with Sections 12(1) (Excessive cost of compliance) and 16(4) (Refusal of request) of the Freedom of Information (Scotland) Act 2002 (the Act), this letter represents a Refusal Notice.

By way of explanation from the total of 7505 Recorded Police Warnings issued, we would need to individually look through each record to identify what the person was accused of. I would estimate it would take approximately 3 mins per record to complete this task which would take approximately 375 hours and cost £5,628. This task would therefore take well in excess of the 40 hour and £600 cost limit prescribed by the Scottish Ministers.

To be of assistance Early and Effective Intervention orders are co-ordinated by Local Authorities therefore you could contact them for this information.

## What was the total number of people who received an antisocial behaviour fixed penalty notice 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 3 table in the Appendix.

I can advise you that Police Scotland does not hold the above requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

To explain, Antisocial Behaviour Fixed Penalties are not issued for misuse of drugs offences.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.

Number of Recorded Police warnings by age (for misuse of drugs)

April 2023 – March 2024

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| **Age grouping** | **Number** |
| Under 20 | 1,358 |
| 20 – 29 years | 2,783 |
| 30 – 39 years | 1,718 |
| 40 – 49 years | 1,112 |
| 50 – 59 years | 446 |
| 60 and above | 88 |
| Total | 7,505 |

These data are extracted from Police Scotland internal systems (on 06/08/2024) which are dynamic and continuously updated.