



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2022-00660

**Keyword:** Crime

**Subject:** Cannabis Factories

### Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act we can confirm that the Police Service of Northern Ireland (PSNI) does hold information to which your request relates however Request 1 is exempt by virtue of Section 21 of Freedom of Information Act 2000 (FOIA). We have detailed our rationale as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request. In addition, PSNI do not hold information in relation to Request 2

### Request 1

The number of cannabis factories found in the last five years. Please break this down by year. Please take 'found' to mean either those where the factories were still active, or where criminals had been active but moved on.

### Answer

Your request for information has now been considered and we are not obliged to supply the information you have requested under Section 21 of the Freedom of Information Act 2000 (FOIA).

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland (PSNI), when refusing to provide such information (because the information is exempt) to provide the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies.

The following exemption has been applied:

### Section 21 - Information Reasonably Accessible by Other Means

PSNI can advise that the information requested above can be readily obtained and therefore section 21 of the FOIA can be applied. The purpose of the Section 21 exemption is to ensure that there is no right of access to information via FOIA if it is available to the requester by another route.

The full text of exemptions can be found at [www.legislation.gov.uk](http://www.legislation.gov.uk) and further guidance on how they

operate can be located on the Information Commissioner's Office website [www.ico.org.uk](http://www.ico.org.uk).

Cannabis cultivation figures are published on the PSNI website in the annual trends bulletin on Police Recorded Drug Seizures and Arrests in Northern Ireland 2006/07 to 2020/21. Figures are provided for each financial year 2012/13 to 2020/21 and are split into incidents where 25 or more plants are seized and incidents with less than 25 plants seized and/or factory equipment recovered (see Table 2.9 in the accompanying spreadsheet, <https://www.psni.police.uk/inside-psni/Statistics/drug-seizure-statistics/>). The following definition is provided alongside the published figures:

In the latest guidance from the National Police Chief's Council (NPCC), commercial cultivation of cannabis is defined as:

- Twenty-five or more cannabis plants, at any stage of growth (germination), are being or have been grown; or
- There is evidence of a cannabis farm.

The definition of a cannabis farm is:

- The premises, or part therein, has been adapted to such an extent that normal usage would be inhibited and usually present within the premises, or part therein, are items solely concerned for the production of cannabis, i.e.: hydroponics system, high intensity lighting, ventilation/extraction fans, any other associated equipment, and/or electricity meter bypassed (abstraction of electricity).

In addition to the above, the overall appearance of the venue, together with available intelligence also indicates if the site was, is, or is intended to be a cannabis farm, irrespective of the number of plants present on the site. For example there may be no plants but the site has been made ready to commence cultivation.

## **Request 2**

The number of cannabis factories found in non-residential buildings in the last five years. Please break this down by year.

## **Answer**

Your Request for information has now been considered. In respect of Section 1(1)(a) of the Act we can confirm that the Police Service of Northern Ireland does not hold information in relation to your Request. Enquiries made in relation to your Request failed to locate any records or documents relevant to your request based on the information you have provided.

PSNI can advise that the relevant business areas do not hold information indicating whether a property is non-residential. Therefore, seizure incidents are not broken down in a way which would facilitate a response to this question.

Accordingly, we have determined that the Police Service of Northern Ireland does not hold the information to which you seek access.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Corporate Information Branch, please quote the reference number listed at the beginning of this email.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by

emailing [foi@psni.pnn.police.uk](mailto:foi@psni.pnn.police.uk).

If, following an Internal Review carried out by an independent decision maker, you remain dissatisfied with the handling of your request, you may make a complaint to the Information Commissioner's Office, under Section 50 of the Freedom of Information Act, and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at 'Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF', or use the ICO self-service portal available at [www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/](http://www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/)

In most circumstances, the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out however, the Commissioner has the option to investigate the matter at their discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ [www.psnipolice.uk](http://www.psnipolice.uk)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.