Te Puna Whakaiti Pāmamae Kai Whakapiri
New Zealand Drug Foundation

Drugs and the justice system in Aotearoa

2026

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Each year, we spend $334 million on enforcing our drug laws, more than twice what we spend on treatment, prevention, and harm reduction combined.[1]

The majority of this spend goes into prosecuting and penalising people for various drug offences.

This report presents data about people who have faced criminal consequences for drug offences. We present a mix of outcomes, and include charges, convictions, and imprisonments for a range of drug offences.

However, our focus is on lower-level offences, such as personal possession or use. We also pay attention to the characteristics of people who face the criminal justice system, and especially to the impacts on Māori.

ABOUT THE DATA IN THIS REPORT

Most of the data presented in the report is from the Ministry of Justice. It includes information from publicly available data tables, as well as more granular data supplied to the Drug Foundation via a request under the Official Information Act (OIA). We are grateful to the Sector Insights team at the Ministry for working with us to regularly supply this data.

In the report we also use Police data from the policedata.nz database on Police proceedings. We also present Customs seizure data from the publicly available Customs database.

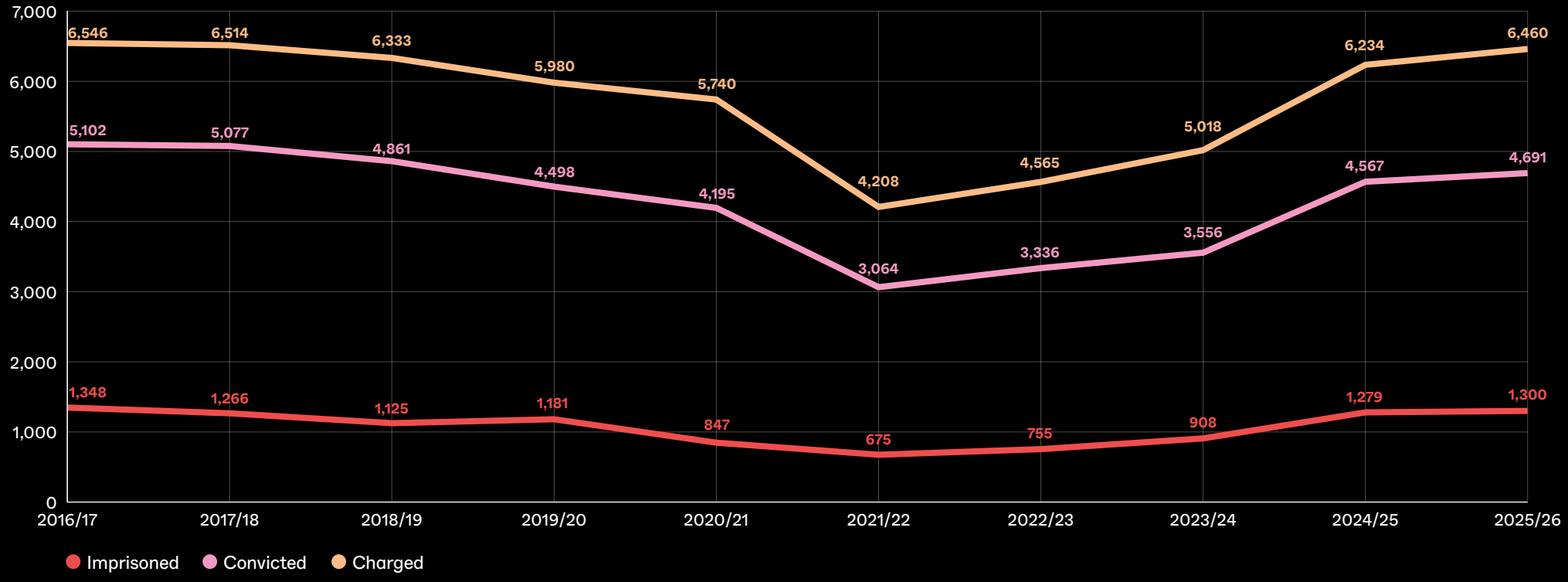
1. Crossin, R. (2025). *New Zealand's choice: Funding our drug policy (A study on public perspectives and willingness to pay)*. Helen Clark Foundation. https://www.helenclark.foundation/research/new-zealand-s-choice-funding-our-drug-policy

Criminal justice responses to drugs have increased.

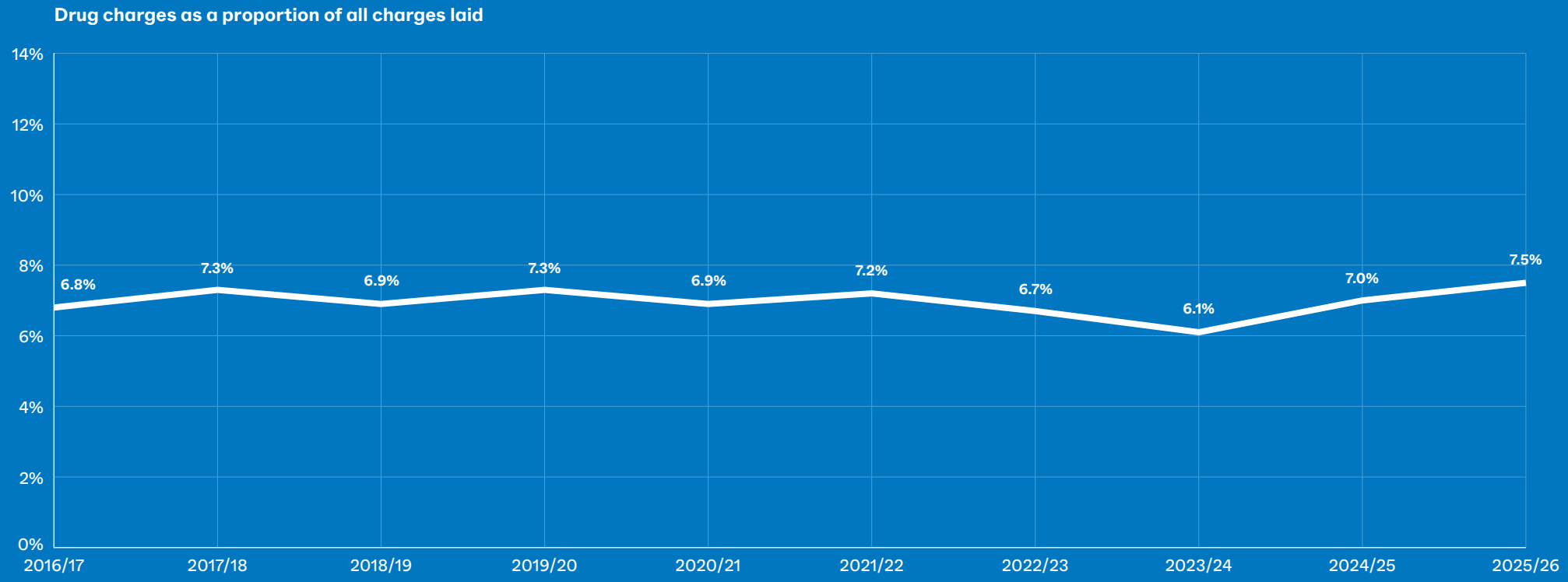
Charges, convictions, and imprisonments have all increased from last year.

In 2025/26, 6,460 people were charged with drug offences – the highest number since 2017/18.

Number of people charged, convicted, and imprisoned for drug offences



Drug charges made up 7.5% of all charges in 2025/26, the highest share in ten years.



Data caveats

Charges, convictions, proceedings, and imprisonments

Throughout the report we use a combination of criminal justice measures and ways of counting individuals or instances of criminal justice system contact.

While we focus on charges as a measure that best demonstrates a significant interaction between a person and the criminal justice system, and a more substantial enforcement effort, we also report on convictions and imprisonments in some instances. This is where we think it is particularly important to underline the long-term, severe impacts on a person's life.

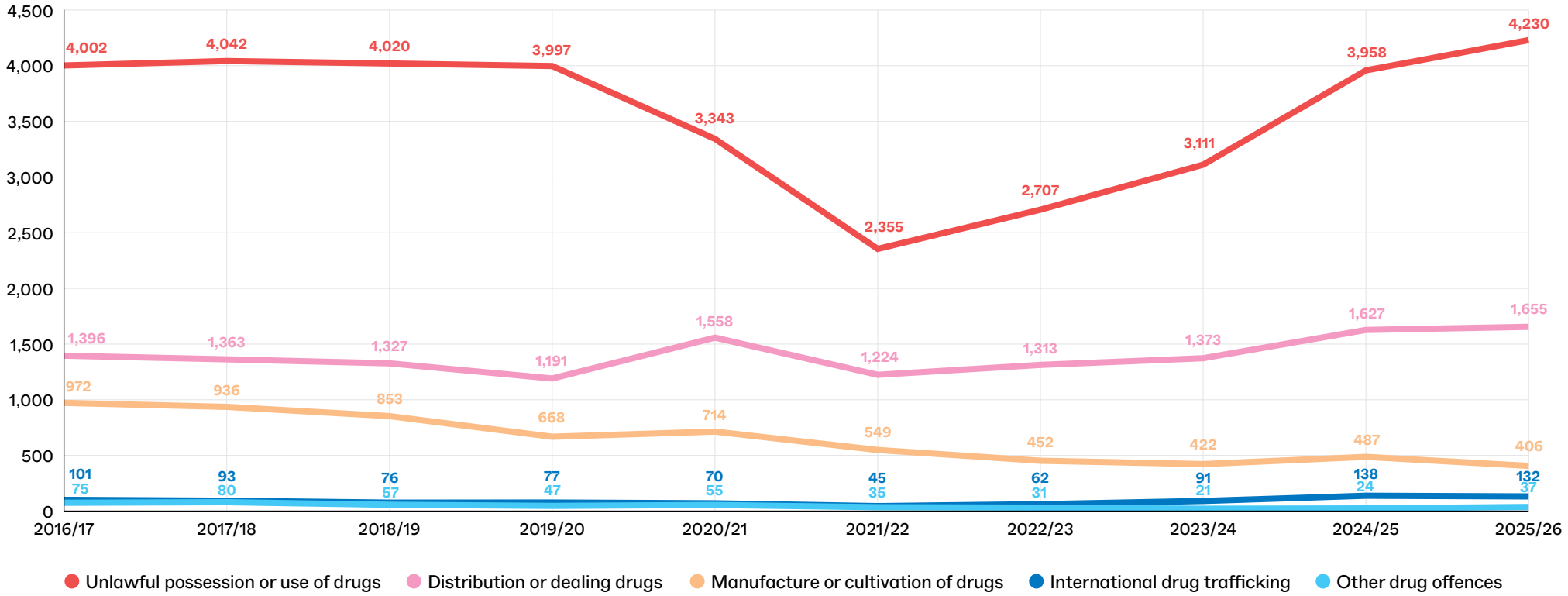
Main outcomes and measures of the criminal justice system in this report:

People charged with an offence	This measure counts a person once for their most serious drug charge finalised in the year. If they were charged more than once in a year, only their most serious drug offence is counted.
People convicted	This measure counts a person once for their most serious drug conviction in the year. If they were convicted more than once in a year, only their most serious drug offence is counted.
Drug charges/ convictions	This covers ANZSOC division 09: Drug offences, which is split into five subdivisions: - International drug trafficking - Distribute or deal drugs - Manufacture or cultivate drugs - Unlawful possession or use of drugs (includes offences related to drug utensils) - Other drug offences.
Possession/use offences charges/ convictions	These offences generally include cases where a person is charged with or convicted of possession/use offences as their most serious drug crime on the day. The person may also have been charged with non-drug offences, which may be more serious. Possession/use offences **exclude** possession for supply which is generally classified under distributing or dealing drugs.
Possession/use-only offences charges/ convictions	This metric covers instances where a person is charged/convicted **only** for possession/use offences, and no other offences.
Police proceedings	A proceeding is a legal action Police start against an alleged offender for one or more offences. Each separate occasion Police proceed against an individual is counted once. This means one person can be counted several times in a year.
Court action and non-court action	A Police proceeding can be a court action (charges filed in court) or a non-court action, such as a warning, a Te Pae Oranga referral, or youth alternative action.

The majority (65%) of people charged with drug offences were charged with possession or use of drugs.

This means that only a minority (just over a third) of people facing charges were charged for more serious drug offences.

People charged by drug offence type

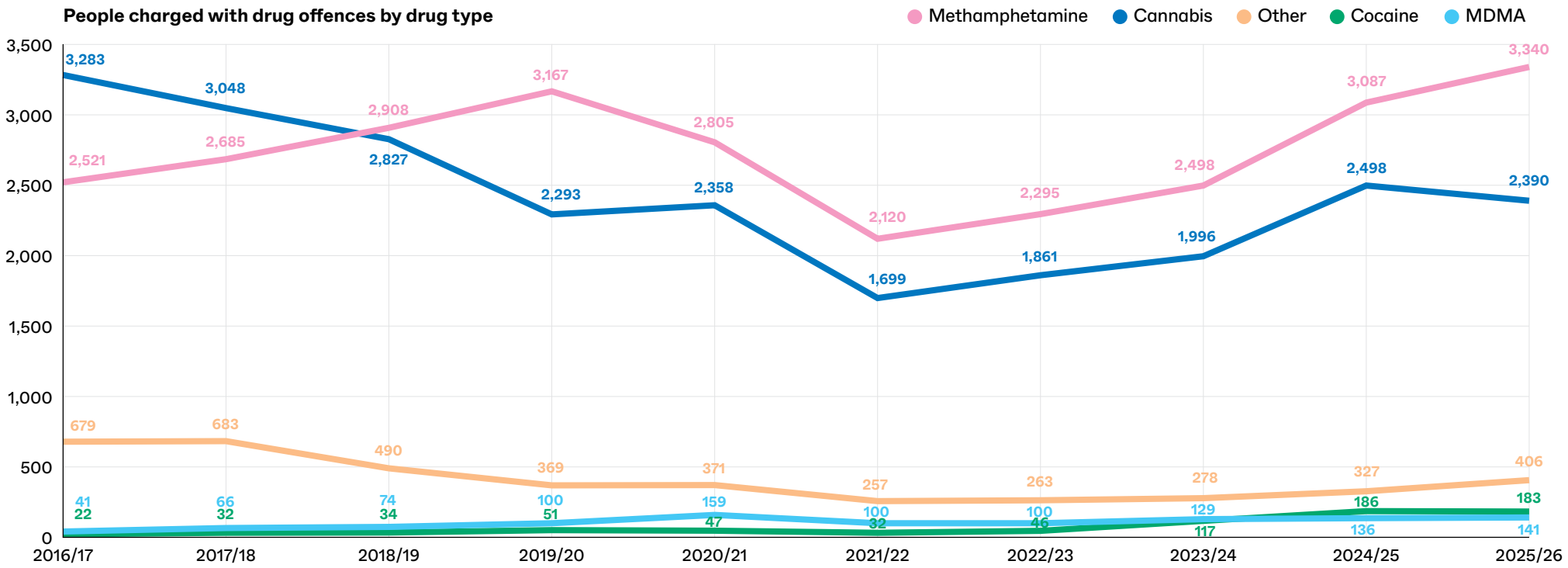


In recent years, most charges have involved methamphetamine, followed by cannabis.

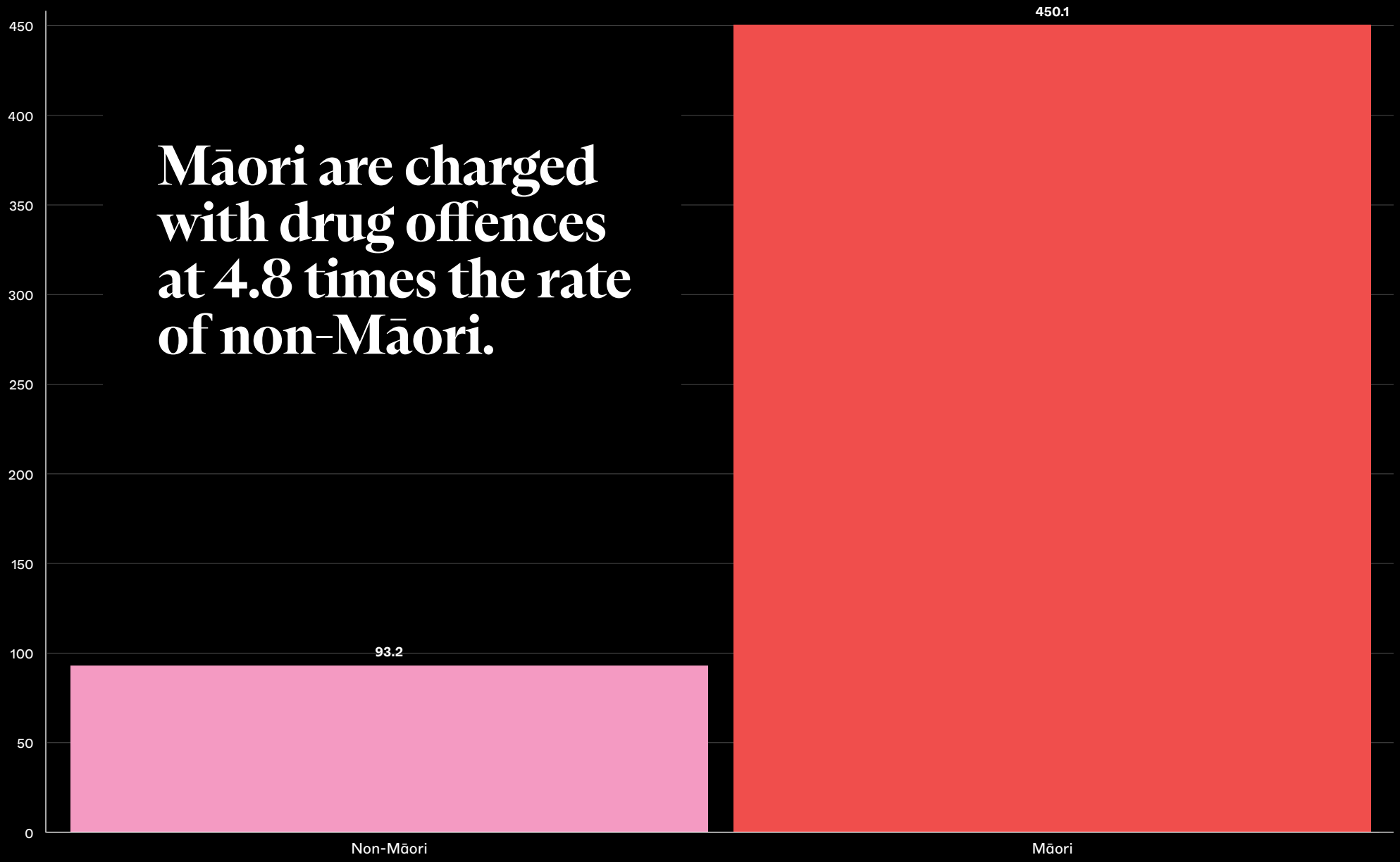
This has been a sustained trend since 2018/19, with earlier data showing an opposite pattern.

A minority of charges involve cocaine or MDMA, with both of these increasing in recent years.

People charged with drug offences by drug type



People with drug charges in 2025/26 by ethnicity
per 100,000 population aged 15+



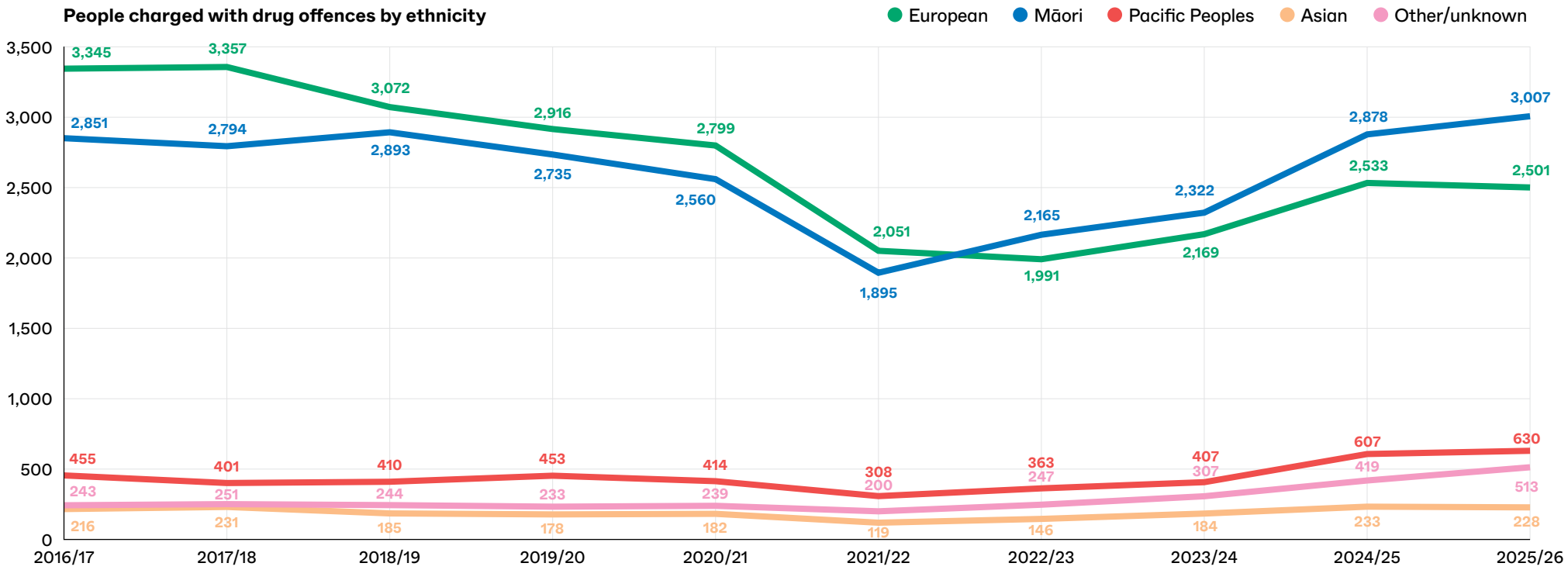
Māori are charged with drug offences at 4.8 times the rate of non-Māori.

Despite constituting just 15.3% of the New Zealand population aged 15 and over,[2] Māori faced nearly half (47%) of drug offence charges in 2025/26.

This disparity also appears to be growing.

In each of the last four years, the number of Māori facing drug charges has been higher than the number of New Zealanders of European ethnicity.

People charged with drug offences by ethnicity



2. Stats NZ. (2026). *Māori ethnic group estimated resident population by age and sex* (2025; Annual-Dec). https://infoshare.stats.govt.nz/

The disparities grow further as people progress through the criminal justice system.

In 2025/26, Māori made up more than half (51.6%, or 1,928/3,737) of those convicted of drug possession/use offences and 57.6% (519/901) of those imprisoned for drug possession/use offences.

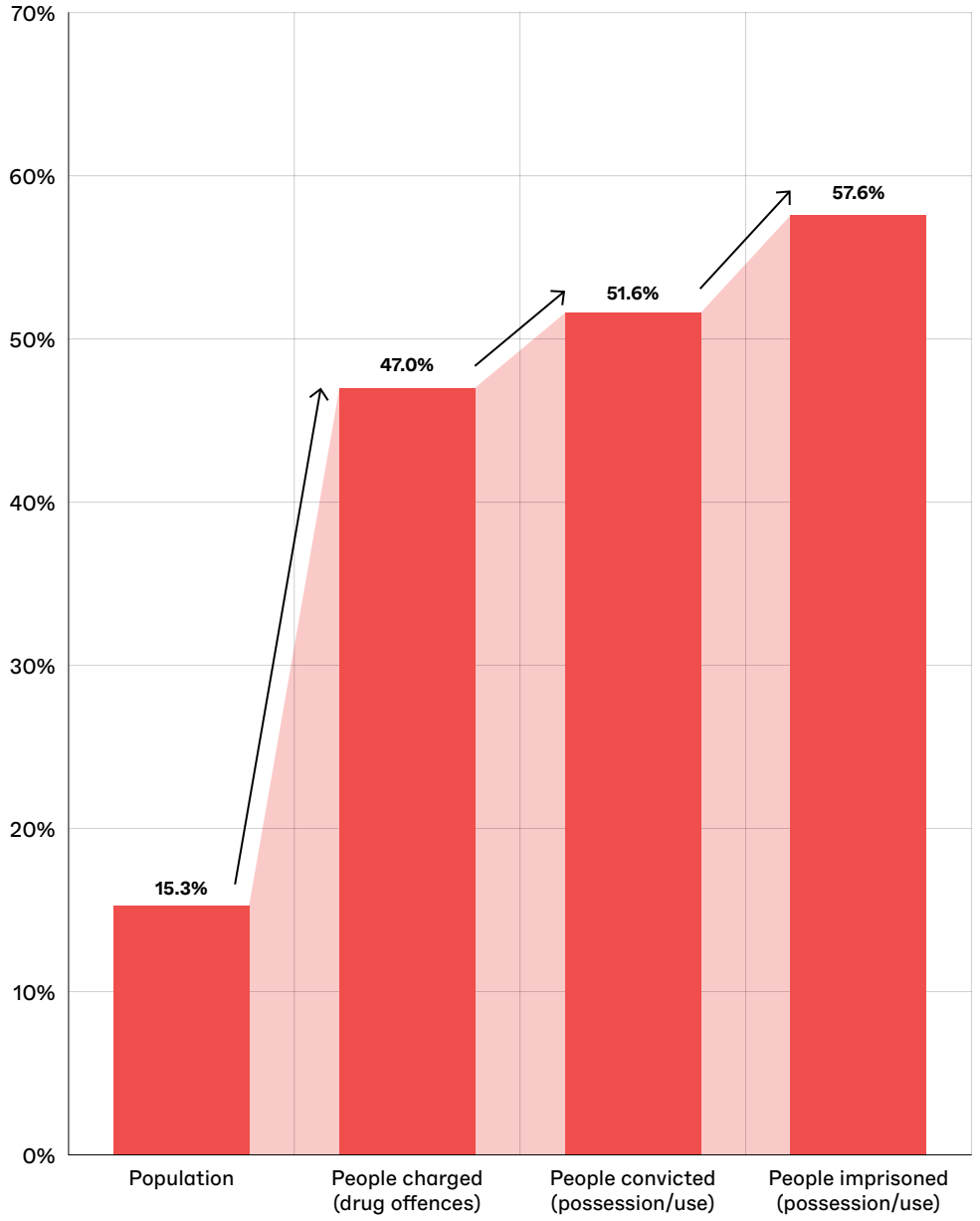
While prevalence of use of certain substances appears to be higher among Māori than non-Māori (e.g., Māori are more than twice as likely to report past-year cannabis use as non-Māori),[3] this disproportion is insufficient to explain the differences in criminal justice outcomes.

3. Ministry of Health. (2025). *Annual update of key results 2024/25: New Zealand Health Survey*. https://www.health.govt.nz/publications/annual-update-of-key-results-202425-new-zealand-health-survey

Most of the people charged with drug offences are men (5,251/6,458 where gender was reported; 81.3% in 2025/26).



Māori as a proportion of population at different steps of involvement in the criminal justice system



The Misuse of Drugs Amendment Act 2019 affirmed Police discretion when deciding whether to prosecute people for drug possession or use.

The law states clearly that:

"a prosecution **should not be brought** *unless it is required in the public interest ... When considering whether a prosecution is required in the public interest, in addition to any other relevant matters, consideration should be given to whether a health-centred or therapeutic approach would be more beneficial to the public interest."*

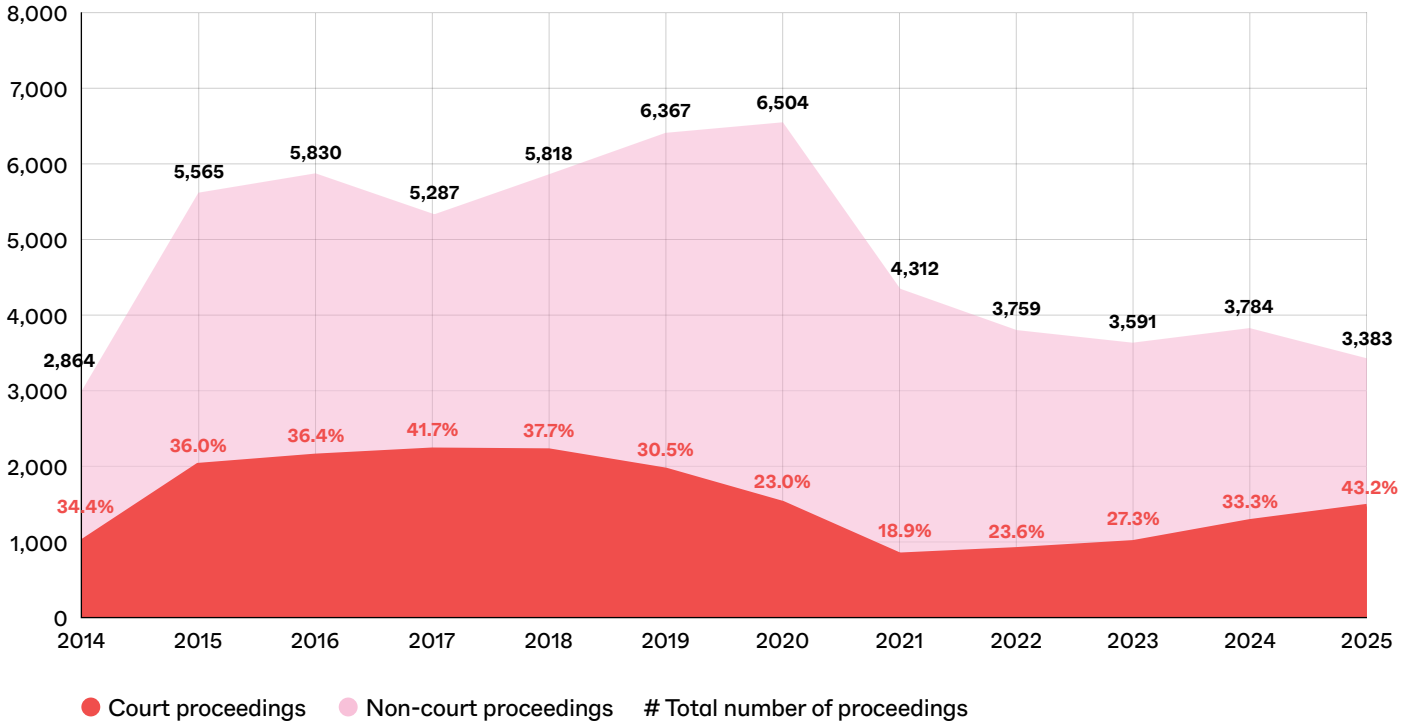
After the amendment was passed, a decline in charges accelerated for a short period. **However, prosecutions have been increasing each year since 2021.**

In 2025, the proportion of Police proceedings that ended in laying charges for drug possession/use offences (43.2%) was the highest in the 12 years for which data was available. The share of proceedings going to court more than doubled, from 18.9% in 2021 to 43.2% in 2025.

Despite its relatively low prevalence of use, methamphetamine is thought to cause the most harm of all illicit substances in Aotearoa.[4] Because of this risk of harm, people caught with methamphetamine may gain substantial benefit from a health intervention.

The law does not distinguish between drugs when considering whether health-based approaches should be offered. Despite this, Police are much more likely to prosecute possession and use offences for methamphetamine. In 2025, 71% of proceedings resulted in court action for methamphetamine possession and use, compared with just 27.1% of proceedings for cannabis.

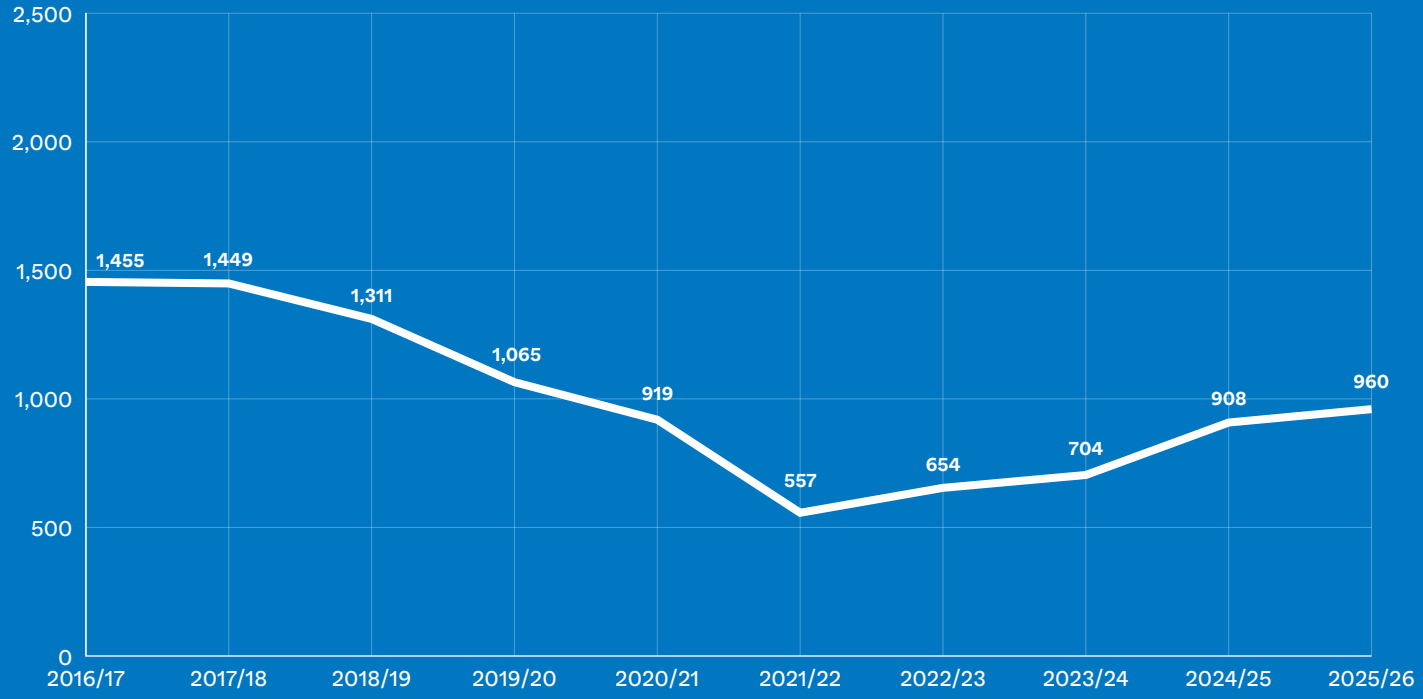
Police proceedings for drug possession/use



4. Crossin, R., Cleland L., Wilkins C., et al. (2023). The New Zealand drug harms ranking study: A multi-criteria decision analysis. *Journal of Psychopharmacology*, 37(9):891-903.

Charges for drug possession/use alone have risen every year since 2021/22.

Instances where people were charged with possession/use-only offences



Nearly two-thirds of people charged with drug offences are charged with possession/use of drugs.

Most of these people also face charges for other offences, ranging from relatively minor offences (like trespassing or breach of bail) to serious or violent offences (like assault).

However, each year, hundreds of people are charged with and convicted of possession/use offences without other offences.

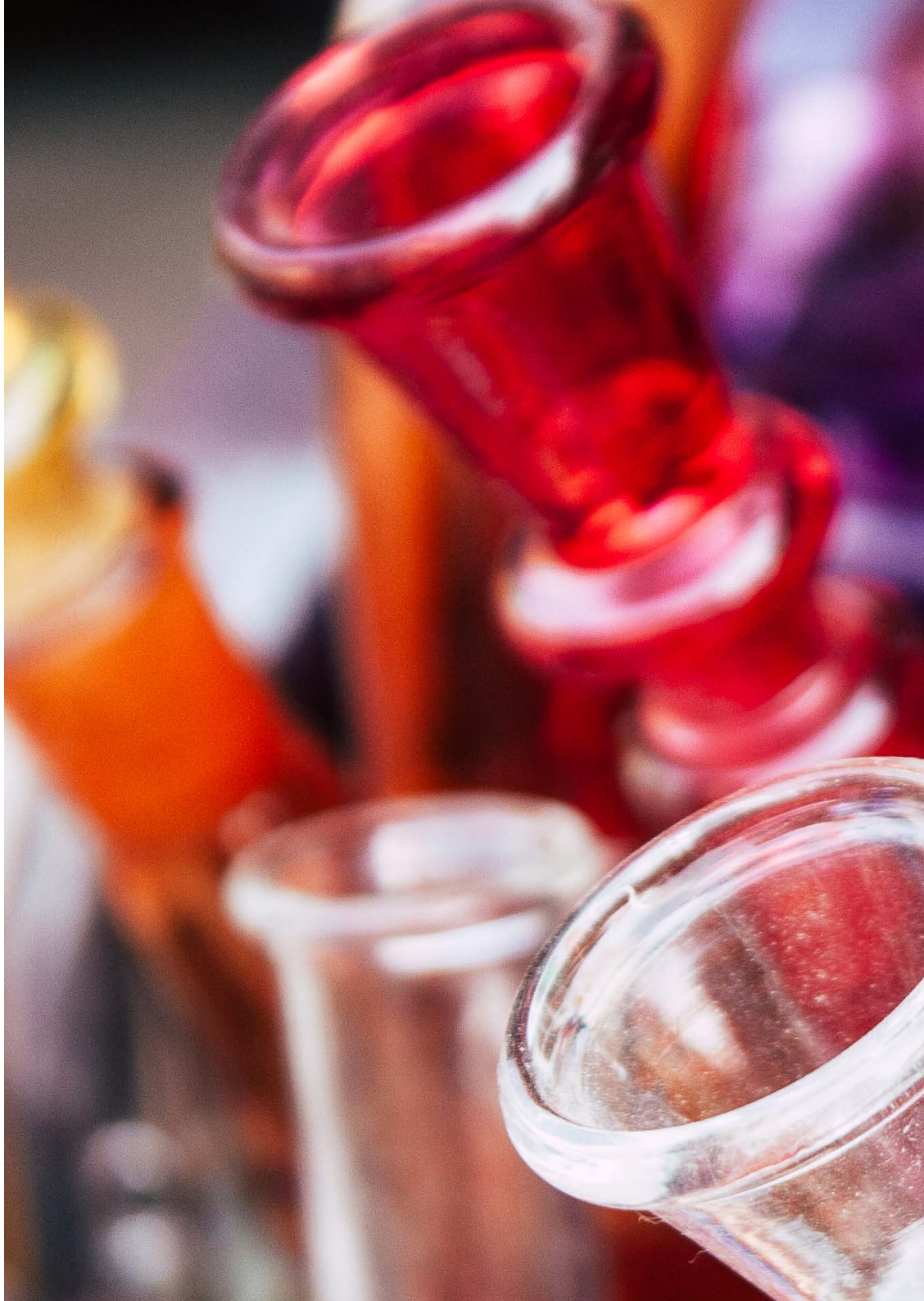
In 2025/26, there were 960 instances where people were charged with possession/use of drugs offences only. Of those involved, 42% were Māori, and 29% were aged under 30.

Convictions for drug utensils

The Misuse of Drugs Act prescribes a higher maximum sentence for possessing drug utensils (up to one year's imprisonment) than for possession of Class A drugs (up to six months' imprisonment).

There were 62 people convicted of a drug utensil offence only in 2025/26 (they were not caught with drugs on them at the time). This is the highest number in five years. However, it is much lower than 10 years ago when 185 people were convicted.

The vast majority of these convictions (52 people) were for methamphetamine utensil possession, while nine people were convicted of possessing a cannabis utensil.





Young people and criminal convictions

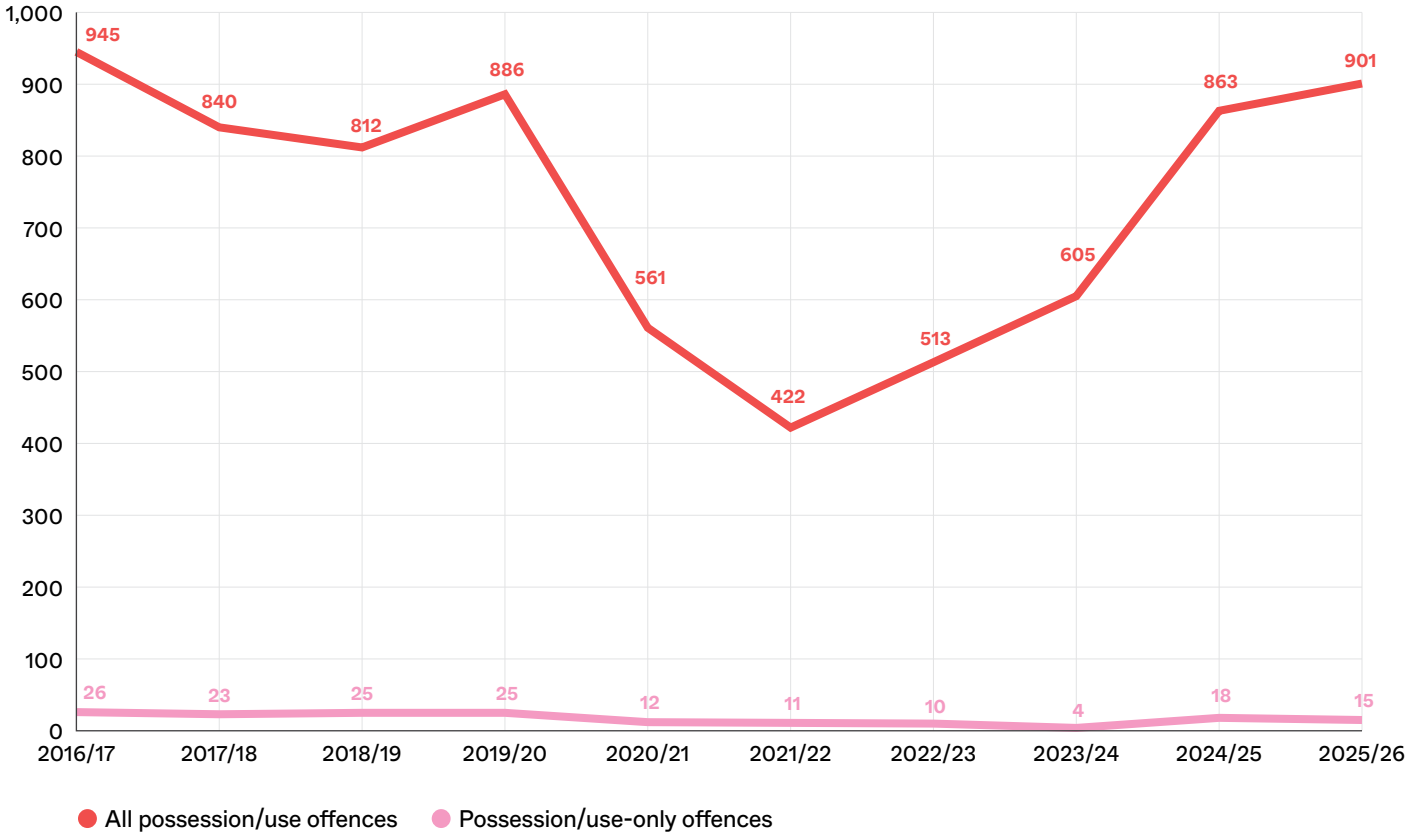
There are serious consequences of having a criminal conviction at a young age, including severely limited employment opportunities and disengagement from the local community.

Most drug convictions are among people aged 25 and older. However, in 2025/26, 13% of drug offence convictions were among people under 25. While these have been decreasing in the past few years, hundreds of young people are still convicted of a range of drug offences every year.

Over the past ten years, 943 people aged under 25 were convicted of drug possession/use only, including 48 in 2025/26.

In nine out of the past ten years, more people were imprisoned for drug possession/use offences than for all other types of drug offences combined.

Imprisonments for possession/use offences



In 2025/26, 901 people were imprisoned for drug possession/use offences, and this is the highest number since 2016/17. Most of these sentences may also have included other more serious non-drug offences, so it is difficult to tell the extent to which drug possession/use offending contributed to someone receiving a prison sentence. Imprisonments for drug possession/use-only are relatively rare. Still, in 2025/26, 15 people were imprisoned for drug possession/use only: 11 of those involved methamphetamine, while 3 involved cannabis.

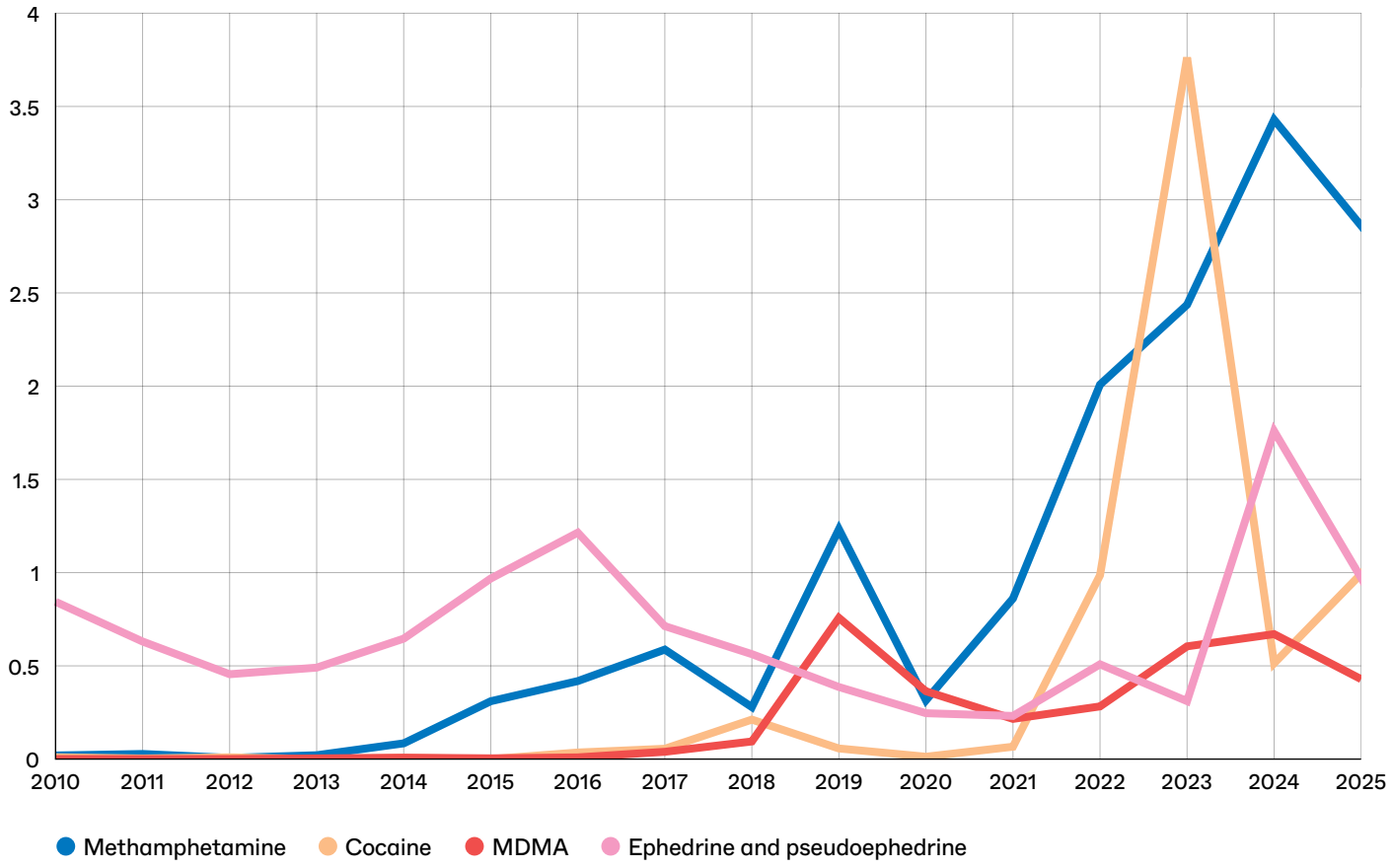
Customs and border control activities related to drugs are estimated to cost New Zealanders nearly $31 million every year.[5]

In recent years, Customs seizures of cocaine, methamphetamine and MDMA have increased, yet consumption has been either stable or increasing.

The quantity of drugs seized fluctuates year to year and is highly influenced by one-off events. For example, in 2023 a record 3.8 tonnes of cocaine were seized, with the vast majority (3.2 tonnes) intercepted at sea in a single operation.[6] Even without this single large seizure, 2.1 tonnes of cocaine were seized between 2023 and 2025 – over 600kg more than in the preceding 13 years combined.

Similarly, 8.7 tonnes of methamphetamine were seized between 2023 and 2025. This is 2.6 tonnes more than in the preceding 13 years combined.

Customs seizures of drugs and key precursors (tonnes)



5. Crossin, R. (2025). *New Zealand's choice: Funding our drug policy (A study on public perspectives and willingness to pay).* Helen Clark Foundation. https://www.helenclark.foundation/research/new-zealand-s-choice-funding-our-drug-policy

6. New Zealand Customs Service. (2023). *Operation Hydros: Police, Customs and NZDF recover half a billion dollars' worth of cocaine at sea.* New Zealand Customs Service. https://www.customs.govt.nz/about-us/news/media-releases/operation-hydros-police-customs-and-nzdf-recover-half-a-billion-dollars-worth-of-cocaine-at-sea/

Summary and recommendations

The data shows that Aotearoa keeps putting significant resource into enforcing drug laws and punishing people who use drugs. Drug charges are at their highest level in years, and most of them are for possession or use, not dealing or supply.

Key findings:

1.

Charges are rising

In 2025/26, 6,460 people were charged with drug offences, the most since 2017/18. Drug charges made up 7.5% of all charges, the highest share in the period covered.

2.

Māori experience disproportionate impacts

Māori are charged at 4.8 times the rate of non-Māori. They make up 51.6% of those convicted and 57.6% of those imprisoned for possession/use.

3.

Most charges are for low-level offending

Of the people charged, 65% were charged with possession or use.

4.

People continue to be imprisoned for possession or use

In 2025/26, 901 people were imprisoned for possession/use offences, the most since 2016/17. This figure includes people whose sole offence was personal possession/use.

5.

Police discretion isn't having the impacts that were hoped for

In 2025, 43.2% of possession/use proceedings ended in charges, the highest in 12 years. Methamphetamine cases go to court far more often than cannabis cases (71% compared with 27.1%).

We can improve criminal justice outcomes

by implementing a model that places greater emphasis on health outcomes and frees Police resources to deal with serious or violent crime.

We can do this if we:

1. Treat drug use as a health issue

We offer a pathway to achieving this – alongside evidence in support of such an approach – in our Safer Drug Laws for Aotearoa report. This includes removing criminal penalties for personal possession and use, and offering people access to health, treatment and harm reduction services instead.

2. Address the disproportionate impacts on Māori

Expand Māori-led alternatives such as Te Pae Oranga, and fund kaupapa Māori health services.

3. Expand Alcohol and Other Drug Treatment Courts for all offenders likely to benefit from this intervention

Expansion of these courts is not a substitute for other policy changes (such as decriminalisation of personal use/possession). However, they can be very effective at preventing reoffending among appropriately selected offenders. These are typically people with high needs who are at high risk of reoffending due to their substance use; the offences covered do not have to be drug offences.

4. Redirect much of the $334 million spent on drug law enforcement

into dealing with serious and violent crime, as well as treatment, prevention and harm reduction.

5. Improve how the 2019 amendment works in practice

Review Police instructions so individual officers are empowered to apply the legislation and opt for health-based responses consistently for all drugs, including methamphetamine. There should be regular reporting on how discretion is being used.

