

Briefing for the Citizen Participation and Public Petitions Committee on petition [PE1995](#): Improve support for victims of spiking, lodged by Catherine Anne McKay

This paper provides further information to the Committee on issues raised by the petition.

It begins with a short overview of the petition, and the work of the Committee so far. The main body of the paper is a summary of the [evidence session held by the Education, Children and Young People Committee in January 2022 on the topic of drink and needle spiking](#). This session was a one off round table looking at the impact of spiking on young people, and it predates the petition.

Background

The [petition](#) argues for the development of:

“a multi-agency approach to investigating spiking incidents to ensure victims are given access to appropriate testing and incidents are investigated robustly”.

The petitioner believes that a family member was spiked and that the police should have taken more action to investigate whether this had indeed occurred.

The term ‘spiking’ is generally used to refer to situations where:

- someone adds alcohol or drugs to another person’s drink without their knowledge or consent (‘drink spiking’)
- a needle is used to inject drugs into a person without their knowledge or consent (‘needle spiking’).

Spiking can be prosecuted under various offences. As well as being harmful in itself, it can leave a person more vulnerable to a range of offending behaviour.

Further background information can be read in the [SPICe briefing on the petition](#).

Previous consideration by the Committee

The Committee first discussed the petition on [22 March 2023](#), after receiving the Scottish Government's initial [written response](#) (January 2023). The response comments on Police Scotland's approach to reports of spiking, seeking to provide reassurance that all reports are taken seriously and thoroughly investigated.

At the meeting in March 2023 the Committee agreed to write to Police Scotland and the Scottish Government for additional information on the procedures followed if drink spiking is suspected. They also agreed to request a summary from SPICE of the evidence session held by the Education, Children and Young People Committee in January 2022 on the topic.

Police Scotland responded to the Committee on 5 May 2023. [Their submission](#) noted that it is normal procedure for a urine sample to be collected where drink spiking is suspected, and that every reported incidence should be taken seriously and investigated. It also discusses the training available to officers and the fact that:

“Senior Investigating Officers have been appointed within each territorial Police Division to act as Divisional Single Points of Contact (SPOC) for all Spiking related matters and investigations.”

The Scottish Government [submission from June 2023](#) goes into further details regarding the Police Scotland response to cases of suspected spiking, including the protocols that are followed. It also discusses the information available to NHS Health Boards on responding to suspected instances of spiking.

Education, Children and Young People Committee session on spiking

The Education, Children and Young People Committee held a [roundtable evidence session](#) on the topic of drink and needle spiking on 26 January 2022. The panel consisted of:

- representatives of universities and student associations
- representatives of trade bodies
- the Girls Night In campaign

- Victim Support Scotland
- Police Scotland.

The topics covered by the panel are summarised below.

Data and reporting

The first part of the session discussed the rise in spiking related offenses in the fourth quarter of 2021. Figures in the [SPICe briefing for the session](#) showed that Police Scotland recorded 20 cases of common law drugging in 2020, but 137 cases in the period up to 31 October 2021. Superintendent Sloan from Police Scotland noted that the rise in reports occurred around university fresher's weeks and Hallowe'en, and that numbers had subsequently dropped.

The conversation then moved to the difficulties in monitoring trends in incidences of spiking due to perceived barriers to reporting. The barriers mentioned included:

- a culture of victim blaming
- a misunderstanding of the process to report incidents
- the range of offences that spiking may be reported under.

Superintendent Sloan explained to the Committee that there had been significant partnership working and collaboration involving a number of the organisations represented at the evidence session in order to create a communications toolkit. This was intended to ensure that the messaging on how to report suspected spiking to Police Scotland would be consistent across organisations. Other witnesses however noted that there remained a lack of clarity on the procedure for reporting.

Mike Grieve of the Night Time Industries Association stated that:

“If I may be so bold, I would encourage the Scottish Government to introduce clear and simple protocols for venues, student services, students themselves and others in the community—without alarming people—to make those pathways clear to people.”

Work by universities

The session included examples of universities taking measures to support students reporting incidences of gender-based violence, including spiking. This included training staff to take disclosures, instituting centralised reporting systems and a focus on communication and awareness-raising.

The [equally safe in colleges and universities core leadership group](#) was also raised as a response to these types of concerns. It was noted that it had developed a joint strategy for preventing and tackling gender-based violence in universities, which included training as a key priority.

Reporting and trade bodies

Differences between pubs and late-night venues were brought up during the round-table discussion.

It was noted that there are mandatory incident reporting procedures for late-night venues in Scotland, it being a licensing condition that all incidents of any sort are reported. However, this is not the case for pubs and other venues.

The safeguarding policies of pubs were highlighted as one of the ways that trade bodies encourage members to take reports of spiking on their premises seriously. However, it was also noted that there is not a common framework for how incidents are recorded or handled. It is ultimately up to individual venues to determine their own policies.

There was some discussion about whether or not regulation would be welcomed by the sector. Andrew Green of the Scottish Beer & Pub Association noted that:

“Any legislative or mandatory requirement would have to be underpinned by solid evidence showing why that was being brought in. We would want to be happy that the evidence justified any regulation being brought in... We should not be looking at spiking in isolation, as there are other welfare and safeguarding issues that can occur in venues, and they should also be recorded. Any framework that is adopted should go wider than thinking only about drink spiking.”

The conversation then turned to the training that staff in pubs, night clubs and other venues receive, and the types of suspicious behaviours that they look out for. This included looking out for

individuals who appear to be buying an unusually high number of shots or who are asking for triple measures in drinks. Reporting mechanisms within these venues were also discussed.

Evidence was provided to the Committee that experiences of reporting incidents to venues were very mixed. One response to concerns that venues did not take reporting seriously was the [Girls Night In campaign](#), which held a boycott of venues. This was done to start a conversation about the need for venues to do more to tackle incidents of spiking. It was felt that the campaign had been successful, and that some venues had taken positive action in response.

Support for victims

Jill Stevenson of the Association of Managers of Student Services in Higher Education brought up the fact that while some people report suspected spiking immediately, many others may take a longer time to come forward. She noted that universities were working hard to train staff to support those who come forward with a sensitive, trauma-informed approach. She also highlighted partnership working between universities and groups like Victim Support Scotland and Women's Aid. The topic of wider investment in mental health services in universities, and the fact it had benefitted from Scottish Government support, was also raised.

What followed was a broader discussion regarding the third sector organisations that provide support to victims of spiking in Scotland.

Concerns were mentioned by a number of panellists that the strain on the NHS, especially in the area of mental health, was preventing individuals from seeking out the support that they needed. The difficulty in student areas of registering with a GP was also noted as a barrier to accessing support.

Experiences of the justice system

The roundtable discussion also noted concerns that very few reported cases of spiking result in convictions, and that this can discourage people from coming forward. There were further concerns that delays in the justice system were resulting in negative experiences for those who did report suspected spiking, and that this also acted as a deterrent to reporting incidents.

There was some discussion of whether making spiking a specific criminal offence would be helpful, in both raising awareness and raising the confidence of victims in the criminal justice system. Comparisons were drawn with the specific offence of stalking, and the perception that it has given victims that their report will be taken seriously.

Jill Stevenson, dean of diversity and inclusion and director of student services at the University of Stirling, felt that a specific offence may provide a better sense of the prevalence of spiking in Scotland. She also stated that creating a specific offence would not be a panacea. Other measures would be needed to ensure that confidence in the system was improved and there was a rise in conviction rates.

National structures

Superintendent Sloan explained that Police Scotland have a command structure in place that includes a group where emergency services can meet to discuss their collective response to spiking. She also mentioned that a separate group that includes a number of partner organisations meets with Police Scotland to discuss similar issues. It was suggested that this existing structure could be a starting point for continued conversations and progress to be made on the issue of spiking.

Professor Mapstone, the principal and vice chancellor of the University of St Andrews and the vice convener of Universities Scotland, agreed that existing structures were valuable for engaging with the issue. She also noted the importance of drawing and building upon the work of the equally safe group.

There was general agreement that the Police Scotland partner group structure could act as the basis for an expanded implementation-type group where stakeholders could work together to draw on best practice and make progress on the issue of spiking.

Laura Haley
Researcher
17/10/2023

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content
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