

Our Ref: IM-FOI-2022-2325
Date: 07 December 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

Police Scotland continues to investigate reports of 'spiking'. Spiking, whether by adding drugs or alcohol to someone's drink, or by injection, without their consent, is a criminal offence. It can put people at significant risk of harm.

Officers are not always able to determine the reasons why a perpetrator carries out an assault in this way, but every report is taken seriously and investigated robustly.

Police Scotland continues to work with a range of partners, locally and nationally to ensure pubs and clubs are safe spaces for all. We are working in communities, with licensees, pubs and clubs, to provide advice and support and to offer bystander training to help spot the signs of when someone may be at risk.

We have also reached out to student communities to offer advice, support and reassurance.

We would encourage anyone who believes they have had their drink spiked or been assaulted in this way to contact Police Scotland on 101 or in an emergency 999.

For ease of reference, your request is replicated below together with the response.

How many spiking offences have been reported between 1 Jan - 31 Dec 2018, 1 Jan - 31 Dec 2019, 1 Jan - 31 Dec 2020, 1 Jan - 31 Dec 2021 and 1 Jan - 31 Oct 2022.

I would like the figures broken down into:

Age group of the suspect e.g 14-17, 18-25, 26-30, 31-39, 40-49, 50-59, 60 plus.

Age group of the victim e.g 14-17, 18-25, 26-30, 31-39, 40-49, 50-59, 60 plus.

Gender (victim)

Gender (suspect)

Ethnicity of suspects

Ethnicity of victim

Please also provide a breakdown of the outcomes of the arrest e.g., how many suspects ended up being released, charged, ordered to do community service etc.

In relation to crime data, I would first of all advise you that crimes in Scotland are recorded in accordance with the Scottish Government Justice Department offence classifications.

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Whilst there is no classification for 'spiking' specifically, I have considered your request in terms of the most *potentially relevant* crime classifications as follows:

Drugging - Is a Crime at Common Law, when drugs are feloniously administered with intent to produce stupefaction. There need be no further intent, and it is not necessary that injury to the person be caused.

Administering a substance for sexual purposes - Section 11 of the Sexual Offences Scotland Act 2009 refers (for further details please see www.legislation.gov.uk)

The following table details recorded crime data for these two classifications:

Recorded Crimes	2018	2019	2020	2021	2022	Total
Administering a substance for sexual purposes	11	23	14	18	17	83
Drugging	19	21	20	275	246	581
Grand Total	30	44	34	293	263	664

All statistics are provisional and should be treated as management information.

All data have been extracted from Police Scotland internal systems and are correct as at 14 November 2022.

The Recorded Crimes are extracted using the Date Raised

I regret to inform you that I am unable to provide you with the further information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, it would be necessary to individually assess each of the 664 crime reports listed above and extract and note the relevant details. There is no automated means of gathering the information sought.

Should you require any further assistance please contact Information Management - Dundee quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

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Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

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