| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1069  Responded to: 10 May 2023 |
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Your recent request for information is replicated below, together with our response.

## Q1) For the previous 5 calendar years please provide the total numbers of spiking incidents reported, plus any figures available on such reports for 2023 (specifying period). Please search for this data by means of keyword searches of MO codes, using the terms 'spike', 'spiking', ‘spiked’, and crimes alleged under the following Home Office codes:-

## ·005/10 Administering poison so as to endanger life

## ·005/24 Use of noxious substances or things to cause harm and intimidate

## ·008/02 Administering poison with intent to injure or annoy

## ·088/05 Administering a substance with intent

## Please could you provide this data broken down by year 2018- 2023, latest available data.

## Q3) For each year please provide number of cases where a sample from the alleged victim was sent for forensic testing Please could you provide this data broken down by year 2018- 2023, latest available data.

## Q4) Finally can you please attach MO codes from Jan 1st 2023 for spiking-related offences? I accept redactions may need to be made to remove personal information.

Having considered your request in terms of the above Act, I regret to inform you that I am unable to provide you with the 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, the crime recording systems used by Police Scotland have no facility which allows for us to search crime reports on the basis of presence of specific words or phrases, nor is it possible to conduct a force wide keyword search.

As such, the only way to establish whether the keywords mentioned in your request were present within a crime report, would be to carry out case by case assessment of all crime reports for the time period requested. I can further advise you that, Police Scotland record crimes using the Scottish Government Justice Department crime classification codes and not by Home Office Classifications.

This would involve case by case assessment of a vast number of crime reports, and as such this is an exercise which I estimate would far exceed the fee regulations set out in the Act.To be of some assistance, you may be interested in a previous FOI response on this subject:-

[23-0490 - Crime Stats - Spiking (drugging/ administering substance sexual...) - by method - 2021-22 - Police Scotland](https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/disclosure-log-2023/march/23-0490-crime-stats-spiking-drugging-administering-substance-sexual-by-method-2021-22/)

## Q2) For the reported crimes above, please state the number of cases referred to the CPS for a charging decision, and the number of convictions.

## Please could you provide this data broken down by year 2018- 2023, latest available data.

Police Scotland does not hold conviction information. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

You may wish to contact the Crown Office and Procurator Fiscals Service (COPFS) which holds conviction information for Scotland. A request can be submitted to COPFS via email using the following address foi@copfs.gsi.gov.uk

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.