| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1887  Responded to: 21 August 2023 |
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Your recent request for information is replicated below, together with our response.

**Please provide the above information presented as a month-by-month breakdown.  
  
“Spiking via injection” is** [**defined as**](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.police.uk%2Fadvice%2Fadvice-and-information%2Fspiking%2Fspiking%2F%23%3A~%3Atext%3DSpiking%2520is%2520when%2520someone%2520puts%2Cwith%2520drugs%2520without%2520their%2520consent.&data=05%7C01%7Cfoi%40scotland.police.uk%7C9a60bc03eb0f4b401e1d08db89f27da0%7C6795c5d3c94b497a865c4c343e4cf141%7C0%7C0%7C638255446805450848%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=qBLqqgFNz9%2FlRymKrPAoveAFcHInqBqkYiE%2F42%2BuWbA%3D&reserved=0) **any incident in which someone is injected with drugs without their consent—also referred to as “needle spiking”.**

**For the time period covering 01/09/21 to 20/07/23, please provide:**

**The number of reports received by the force in relation to spiking via injection.**

**The number of arrests made by the force in relation to spiking via injection.**

**The number of subsequent charges made in relation to spiking via injection.**

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.

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

Whilst there is no classification for ‘spiking’ specifically 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](http://www.legislation.gov.uk))

Having considered these questions in terms of the 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 only way to provide an accurate response to your request would be to manually read each of the recorded crimes for the time period requested to establish a summary of the events.

To illustrate, the most recent recorded crime data for these two classifications as at 28 July 2023, for the period 2021 to 2023, shows that there were 643 recorded crimes.

Given there are 643 reports, each of which would have to be examined, this is an exercise which would far exceed the cost limit set out in the Fees Regulations.

**The number of subsequent convictions in relation to spiking via injection.**

In responseto this question,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.