



House of Commons
Home Affairs Committee

**Spiking: Government
Response to the
Committee's Ninth Report
of Session 2021–22**

**Second Special Report of Session
2022–23**

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Home Affairs Committee

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The current staff of the Committee are Elektra Garvie-Adams (Second Clerk), Kate Johal (Committee Specialist), Jennifer McCormick (Committee Operations Officer), Niamh McEvoy (Committee Specialist), Penny McLean (Committee Specialist), George Perry (Senior Media and Communications Officer), Paul Simpkin (Committee Operations Manager), David Weir (Clerk), Stephanie Woodrow (Committee Specialist).

Contacts

All correspondence should be addressed to the Clerk of the Home Affairs Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 6856; the Committee's email address is homeaffcom@parliament.uk.

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Second Special Report

The Home Affairs Committee published its Ninth Report of Session 2021–22, [Spiking](#) (HC 967) on 26 April 2022. The Government's response was received on 16 June 2022 and is appended to this report.

Appendix: Government Response

Introduction

This is the Government's response to the Home Affairs Committee report, 'Spiking' (HC 967) published on 26 April 2022. The report made a total of 12 recommendations, including the following:

- The Home Office should give the Committee a written update six months from the date of publication of this Report on progress towards creating a separate criminal offence of spiking. (Paragraph 26)
- The Government should evaluate the efficacy of different anti-spiking partnership initiatives and develop a national strategy which promotes best practice and requires all police forces and local authorities to publish their chosen approach. (Paragraph 66)
- The Home Office should commission academic research into the motivations and profile of spikers, to feed into a national strategy for preventing, detecting and prosecuting spiking offences. (Paragraph 97)

Overview

The Government is grateful to the committee for their consideration of this important issue. We are committed to developing a "victim-first" approach, and we are clear that spiking is an issue that can only be tackled through effective partnership working. We welcome the breadth of the report, and the Committee's efforts to highlight the wide range of stakeholders that are essential in bringing these awful acts to an end; many of whom we have already begun engaging with.

Our responses to the recommendations and suggestions are set out below. For ease, these have been numbered in line with the Conclusions and Recommendations section of the Committee's report itself (from page 39 onwards).

Scale of the Problem

Recommendation 1 (paragraph 12, page 7)

We recommend that all staff working at music festivals, including vendors, be given compulsory safeguarding training, and this be a requirement that licensing authorities

consider when approving events. This might be done along lines similar to training provided in voluntary schemes in other licensed premises, such as Ask Angela or the licensing security and vulnerability initiative (Licensing SAVI).

Government Response

The Government agrees with the Committee that safeguarding training for staff is vital to ensure people attending events such as festivals can do so safely. The Government welcomes initiatives such as Ask Angela and LSAVI and would encourage local areas to consider how they can be used or replicated where necessary.

The Government believes that the devolved nature of decision making on licensing matters ensures local areas have the flexibility they need to address matters of public safety whilst also supporting a thriving local economy. It is a fundamental premise of the Licensing Act 2003 that any conditions imposed on a licence – whether for a permanent premises or an event such as a festival – are necessary and proportionate. The Government does not intend to mandate training for all staff at events such as festivals however we will review the section 182 guidance which accompanies the Licensing Act 2003 to reflect that when licensing committees are approving a licence for a festival, they should consider that staff are adequately trained in safeguarding.

Separately, the Government would like to highlight constant engagement with the sector, including festival organisers to ensure that they, alongside local authorities, law enforcement, and hired security staff are taking appropriate action to protect potential victims and deter potential offenders. We are exploring with the sector what additional support the government can provide, including opportunities for joint communications and sharing the emergency service response to spiking incidents with festival and security personnel.

Recommendation 2 (paragraph 19, page 11)

We call on the Home Office to increase education and awareness about spiking and welcome its considering whether a specific new offence of spiking is required. We urge the Home Office, however, to focus its efforts first on improving reporting of the crime of spiking and on gathering information about the reasons for and outcomes of such reports. We invite the Home Office to set out steps it will take to improve data on the prevalence, scale and dangers of spiking

Government Response

The Government recognises that spiking is a largely under-reported crime, and that every report of needle or drink spiking is different and, consequently, there is no 'one size fits all', or default, crime classification solution. The Government, alongside law enforcement, have taken a number of steps to improve both the quantity and quality of data on these incidents.

Following the Home Secretary's request for the National Police Chief's Council (NPCC) to review urgently the extent and scale of the issue of spiking, the NPCC established a reporting mechanism to enable all police forces to centrally report any incidences in

order to help us gain a better understanding of the scale and nature of the problem. This reporting mechanism, and the information provided by forces is continuously under review to ensure that it is fit for purpose and that we have the right information to hand.

The Police have been working closely with the Crown Prosecution Service to develop guidance procedures that prioritise victim care and support, including those who may also have taken recreational drugs. It is vital that these individuals are first and foremost seen as victims, and do not avoid coming forward to report an incident out of fear that they will be prosecuted for taking an illegal substance.

The Home Office Crime Registrar has issued communications and guidance to all Police Force Crime Registrars with advice on how to indicate within crime recording software more effectively whether an incident was suspected to be drink or needle spiking.

A number of Force Crime Registrars have developed local guidance for their forces on how to record incidents more effectively in different scenarios which is a positive step, particularly given their developed understanding of local procedures and systems.

We anticipate that this guidance will take some time to embed within forces but expect that it will improve the overall quality of data being reported.

Legal framework

Recommendation 3 (paragraph 26, page 13)

The Home Office should give the Committee a written update six months from the date of publication of this Report on progress towards creating a separate criminal offence of spiking.

Government Response

The Government is already committed to updating Parliament on whether it intends to introduce a specific criminal offence for spiking within six months of the Police, Crime, Sentencing and Courts Act receiving Royal Assent.¹

We will bring this deadline forward from 28 October to 26 October in line with the Committee's recommendation.

Preventing and deterring spiking

Recommendation 4 (paragraph 47, page 19)

As part of its national communications campaign to say "Enough" to violence against women and girls, the Government should engage with the night-time industry, the education sector, and the health sector to produce a national anti-spiking communications campaign. The awareness raising campaign should:

¹ [Hansard, Police, Crime, Sentencing and Courts Bill Volume 709: Debated 28 February 2022, Column 786](#)

- i) *send a clear message that there is no acceptable defence for spiking, whether done for fun or malicious intent; that it can have devastating consequences for victims; and that spiking is a crime punishable by up to 10 years in prison;*
- ii) *encourage victims and venues to report incidents to the police, with the promise that all reports will be investigated; and*
- iii) *communicate immediate and longer-term sources of support for spiking victims, including testing.*

Government Response

The Government agrees with this recommendation and has begun conversations with communications leads from the “Enough” campaign looking into how spiking can be integrated into the wider campaign.

In particular, we are exploring the opportunities for communications around September/October this year, reflecting on the fact that reports of needle spiking peaked around the same period in 2021, coinciding with the university year starting, and the various “fresher’s weeks” that will be launching around that time.

We recognise that these crimes can only lead to a charge and prosecution if there is evidence that spiking has taken place. We are therefore committed to working with law enforcement, festivals and Night Time Economy venues to ensure that there is clear messaging around what victims can expect, particularly in relation to accredited forensics testing process and the wider limitations around portable testing kits.

Recommendation 5 (paragraph 54, page 22)

As part of its wider VAWG strategy, the Government should consider a support package for night-time industries to boost security measures including the recruitment and training of additional door security staff, particularly female staff.

Government Response

The Government recognises the position of the night time industry and, alongside the Security Industry Authority (SIA), has been monitoring reports of shortages within the industry since Autumn 2021, meeting with industry figures including Michael Kill of the Night Time Industry Authority.

The SIA publish statistics on the number of licence holders each month.² The table below (fig.1) sets out the number of active SIA Licence holders in each of the past four years. From this data, we note that there has been a year-on-year increase in the number of both male and female licence holders, and that current levels of licence holders are higher than pre-pandemic levels.

2 [SIA licence holders - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

SIA Door Supervisor Licences (June)			
Year	Male Licence Holders	Female Licence Holders	Total Number of Licence Holders
2022	268,002	30,885	298,887
2021	253,697	28,712	282,409
2020	240,059	27,749	267,808
2019	222,786	25,285	248,071

Fig. 1: Security Industry Authority Door Supervisor licence holders June 2019--2022

We will continue to engage across government and with industry to consider what a support package might look like and will reflect this engagement in the statutory report on spiking due to be published April 2023.³

Recommendation 6 (paragraph 59, page 23)

Within three months the Government should:

- i) *Collect data on local licensing authorities' use of their powers to impose conditions or revoke premises licenses, where venues do not take sufficient measures to protect and provide support to customers in spiking incidents;*
- ii) *Work with local authorities to develop an anti-spiking strategy which encourages local licensing authorities to make better use of these powers; and*
- iii) *As part of this, review guidance issued under section 182 of the Licensing Act 2003 with a view to requiring licensing authorities to consider the prevalence, prevention and reporting of sexual harassment and misconduct and gender-based violence in statements of local licensing policy.*

Government Response

The Government continues to work with local areas to ensure that everyone is safe and secure in the night time economy. Our work to tackle violence against women and girls is continuing to drive momentum to improve the response to issues such as spiking and more widely. Over 2021–22, the Government invested £25m in round 3 of the Safer Streets Fund (SSF), which focused on reducing VAWG in public and improving feelings of safety for all, and £5m in the Safety of Women at Night (SWaN) fund. The £75m round 4 of the SSF also includes a focus on tackling VAWG in public spaces, as well as anti-social behaviour and neighbourhood crime. We plan to announce successful bidders for SSF Round 4 as soon as possible.

We welcome the Committee's suggestions on what more Government could do to augment ongoing work with local authorities. We currently collect statistics from local authorities every other year on authorisations and licensing authority powers under the Licensing Act 2003. Specifically, these include premises licences, club premises certificates, personal

³ [Police, Crime, Sentencing and Courts Act 2022 \(legislation.gov.uk\)](https://legislation.gov.uk)

licences, late night refreshment, 24-hour alcohol licences, temporary event notices, early morning alcohol restriction orders, late night levies, and late-night refreshment exemptions. It also includes statistics on cumulative impact areas, reviews, hearings and appeals. We will explore with local authorities, licensing stakeholders and the Local Government Association whether data on licence reviews and revocations could be added to this report.

Government Ministers wrote recently to remind licensing committees of their responsibilities and the powers that both licensing committees and the police have available to them to ensure licensed premises are managed responsibly and safely, and to encourage collaboration between local agencies to ensure that spiking is considered when assessing licence applications. We will continue to work with partners to ensure that education, awareness, and dissemination of new initiatives and existing good practice are shared widely.

The Government accepts part three of the Committee's recommendation and will review the guidance issued under Section 182 of the Licensing Act 2003 to consider whether we should require licensing authorities to consider the prevalence, prevention and reporting of sexual harassment and misconduct and gender-based violence in statements of local licensing policy.

Recommendation 7 (paragraph 66, page 24)

The Government should evaluate the efficacy of different anti-spiking partnership initiatives and develop a national strategy which promotes best practice and requires all police forces and local authorities to publish their chosen approach.

Government Response

The Government recognises the value of the various anti-spiking initiatives that have taken place across the country and is grateful to the various police forces, local authorities and private businesses that are taking steps to safeguard against spiking.

As part of the statutory review on spiking, the Government intends to carry out reviews of international activity, academic research into spiking, and anti-spiking initiatives to ensure that we are taking the best possible action to tackle this issue.

The final report on spiking, due 28 April 2023 will feature case studies of best practice throughout the country and the various organisations working on this issue. There is currently no intention to publish a specific spiking strategy, but it is the Government's intention that the statutory report will highlight this best practice and provide avenues for organisations to communicate and share tips and strategies.

We will consider whether police forces and local authorities should be required to present an "anti-spiking mission statement" and outline their work to tackle the issue.

Detecting and Investigating Spiking

Recommendation 8 (paragraph 75, page 27)

The Home Office, in partnership with key stakeholders, should conduct a national communications campaign to raise awareness of how to act when people suspect they have been spiked. This campaign should emphasise the importance of individuals and venues reporting incidents or concerns to the police. An option to report spiking incidents anonymously should also be included, possibly via Crime Stoppers. Increased data from increased reporting of incidents would help the police to profile offenders and identify the causes of offending.

Government Response

The Government agrees with this recommendation and is working closely with policing stakeholders to promote key messages around spiking. The Enough campaign have created and disseminated guidance for hospitality staff on how to respond to an instance of violence against women and girls in their venue, including spiking. This communication encourages individuals to report incidents to the police.

We will explore options for further communications, including outreach through the education and private sectors, which will enable us to more effectively communicate how individuals should act if it is suspected that they or someone around them has been spiked.

Recommendation 9 (paragraph 85, page 30)

To ensure adequate, timely provision of forensic sampling of a standard sufficient to be admissible as evidence in court, the Government should introduce a duty on all police forces to provide those who report any spiking incident with the rapid testing service introduced in response to the outbreak of needle spiking.

Government Response

As the Committee notes, law enforcement, in partnership with forensic provider Eurofins, established an accredited rapid urine testing service in response to the outbreak of needle spiking in Autumn 2021. This service will be in place throughout 2022, with the intention of developing a better service in 2023.

This capability is both faster and less expensive than a full toxicology submission, enabling law enforcement to provide assurance and additional support to victims more quickly than they would usually be able to.⁴ Results from the rapid testing capability can be upgraded for evidential purposes.

This capability, while initially open only to samples from reports of needle spiking, has been open to all spiking samples since January 2022.

4 [SPI0048 – Written evidence submitted by Dean Ames, Forensic Drugs Operations Manager, Metropolitan Police Service](#)

Recommendation 10 (paragraph 89, page 32)

The Home Office should require commercially available drug-testing products to carry warnings about their limitations; expedite its planned scientific review of the relative merits of the various spiking testing pilots being run by the police, universities and hospitals and report back to the Committee in three months' time; and provide support to allow wider adoption of the best schemes across the country once the review is completed.

Government Response

The Government recognises the use of spiking test kits in various parts of the country, but we remain clear that there is no single test kit that reports to cover the number of drugs that have been identified as potential candidates for spiking. We therefore feel that an evaluation of pilots which only utilise non-lab-based test kits could provide potential victims with a false sense of security given the lack of any industry certification or validation to account for the efficacy of such test kits. We therefore urge anyone who suspect that they or someone around them have been spiked to contact the police in order to collect a sample for forensic analysis through an accredited testing capability, such as that established by law enforcement and forensic provider Eurofins. To date, this remains the only method which will provide certainty in sample analysis. We are currently aware of efforts within law enforcement to consider how local toxicology services can assist our response to spiking incidents. The results from this will form part of the statutory review of spiking. We are also aware of a limited evaluation being carried out over summer on a urine test kit utilised in some police forces. The project is likely to assess the kit's efficacy in detecting a number of substances which have been identified as part of the Eurofins rapid testing capability.

Recommendation 11 (paragraph 97, page 35)

The Home Office should commission academic research into the motivations and profile of spikers, to feed into a national strategy for preventing, detecting and prosecuting spiking offences.

Government Response

The Government agrees with the Committee's assessment that the motivations of spiking offenders remain unclear, particularly around the newly identified incidences of needle spiking, and that the lack of understanding limits our ability to effectively tackle spiking through targeted interventions. We will therefore consider options for research into the motivations of offenders.

While drink spiking has historically been linked to secondary offending in the form of acquisitive crime and sexual offences, there is limited evidence linking needle spiking to these crimes; it is also unlikely that this gap in our knowledge will be filled until a greater number of offenders have been apprehended. The Government are aware of a number of cases under investigation by the police, though given the nature of these investigations it would be inappropriate to comment at this stage.

As set out in our response to recommendation 7, the Government intends to carry out a review of academic research into spiking to ensure that we are taking the best possible action to tackle this issue.

We are already aware of some wider research on spiking, including:

- A 2022 survey of 23,000 students from 19 universities by the Tab showed that 11% had been spiked, with 35% of incidents occurring at private parties.⁵
- In November 2021, a group called Students Organising for Sustainability (SOS) ran a survey collecting student experiences of drink and drug spiking. 2730 students completed the survey, over half of whom are studying at university and under 30 years old. 14% of respondents reported that they know or think they have been given drugs through their drinks without their knowledge.⁶

Recommendation 12 (paragraph 103, page 38)

To increase the deterrent effect of increased prosecutions, Government should devise a strategy to address each of the factors that inhibit prosecution from lack of reporting through to failure to collect forensic evidence.

Government Response

The Government recognises that there a number of factors which inhibit our ability to successfully target and prosecute individuals who commit spiking offences, not least of all the under-reporting discussed in the response to recommendation 2.

We have begun preliminary discussions with a number of police forces on what they see as the factors which inhibit prosecutions and intend to have similar conversations with the Crown Prosecution Service and the Attorney General's office. The outcomes of these discussions and what action we can take to mitigate these factors will be included in the statutory report on spiking, due to be published no later than 28 April 2023.

5 [Drink Spiking Survey – Alcohol Education Trust](#)

6 [Spiking amongst students – Research | SOS-UK](#)