

**Written evidence submitted by the Home Office (SPI0051)**

*Please note that the figures used may not be representative of all cases across police forces as reports continue to be submitted to the NPCC as part of work to understand the scale of the threat.*

1. The Home Office welcomes this inquiry and understands that the committee is particularly interested in:
  - a. the prevalence of spiking; and
  - b. how spiking should be prevented and addressed
2. This submission accordingly sets out the Government's approach to understanding, tackling and preventing spiking, with a focus on the newly identified phenomenon of spiking using needles.
3. The public have a right to feel safe on the streets and whilst out in the night time economy (NTE), and they expect the government, law enforcement, and the private sector to ensure that safety.
4. In September 2021, the Home Secretary asked the National Police Chiefs' Council (NPCC) to urgently review the extent and scale of the issue of spiking. The Home Office has received a report from the police which has detailed the number of needle spiking offences and where – in terms of venues and geographical areas from when this first came to attention in September.
5. Action which the Government is already taking includes:
  - Through the Safety of Women at Night Fund, and Round 3 of the Safer Streets Fund, the Home Office is supporting the rollout of pilot initiatives to improve the safety of women in public spaces, including in the night-time economy (NTE). These projects include:
    - Training packages for NTE staff;
    - Drink spiking test kits in Police vehicles and NTE venues;
    - Upgrades to CCTV and street lighting throughout the country;
    - Educational training programmes for men and boys.
  - Reclassifying GHB, GBL and 1-4 BD under the Misuse of Drugs Act 1971, and rescheduling GBL and 1,4-BD to Schedule 1 of the Misuse of Drugs Regulations 2001. These are so-called "date rape" drugs, which have been used in drug-facilitated crime (though there is little evidence to link these drugs to needle-spiking specifically). The changes we are making, in response to recommendations made by the independent Advisory Council on the Misuse of Drugs, are intended to deter misuse and restrict supply.
  - Working with the police to consider the applicability of available testing kits against the emerging toxicology data and police requirements.
  - Working with the police to better understand the nature of spiking through the crime recording framework.
6. As the Home Secretary advised at the Home Affairs Select Committee oral evidence session on Wednesday 2<sup>nd</sup> February, she has asked officials at the

Home Office to look at options for preparing a specific criminal offence on spiking. It is important to emphasise, as the Home Secretary did, that a comprehensive understanding of the issue is key and therefore any changes in that direction will take time.

7. Further details of these are given below, together with examples of good practice across the country, but the Home Office recognises that more is needed and is now working to develop a whole government response to join up interests and ensure a coherent and consistent response, from prevention through to investigation and support for victims. This will range from working with industry to develop testing kits that can be used at venues, working with the Department for Education at educating and awareness raising at universities, and with the Department of Health and Social Care to ensure appropriate support and care is provided to victims of spiking who come to A&E. We will also consider the case for a specific offence of spiking.
8. The NPCC has established a reporting mechanism to enable forces to report any reported incidences of needle-spiking to help us to gain a better understanding of the scale and nature of the problem. The figures need to be treated with some caution but, so far, for the period 1 September 2021 to week commencing 17 January, forces have reported 1,212 reports of needle-spiking to the NPCC..
9. Cases of needle spiking have been reported in almost all Police Forces in England and Wales, as well as in Scotland. A large-scale effort is being made by law enforcement to centrally track cases and understand the scale of the threat and the motivations of the perpetrators.
10. Several hotspots for this crime have been identified by the NPCC (by police force) as:
  - Nottinghamshire
  - Merseyside
  - Northumbria
  - Avon and Somerset
  - Sussex
11. The majority of reports have been made within busy city and town centre venues, principally night clubs, music venues and cocktail bars. Although not unheard of, very few incidents take place in suburbs and rural pubs and inns.
12. Offences primarily take place on weekends, though there have been reports of incidents occurring on weekdays.
13. To date, reported incidences of spiking have predominately targeted young women, though males have also reported the crime.
14. Based on figures provided by the NPCC, the current average age of those reporting being victims is 22 years old. In the instances where police have

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details, 998 females and 141 males have reported being a victim of needle spiking.

15. We urge everyone to remain vigilant and to call the police as soon as possible if they believe that they or someone around them have been spiked. We also urge staff at NTE venues, including licensed security staff, to look out for individuals acting suspiciously. It is vital that suspected victims are seen by police as soon as possible; officers will then be able to take and submit samples for testing to enhance our understanding of the crimes; we also want to ensure that victims receive the correct support.
16. Virtually all reports of attacks of needle spiking have been obtained from victim testimony with varying levels of detail. As a newly identified phenomenon, there are currently very few reliable identifications of potential suspects, and limited intelligence relating to motive and substances used.
17. There is currently little evidence of subsequent offences, such as acquisitive crime or sexual offending, occurring as a result of individuals being spiked using needles; it is currently unclear what intentions offenders have beyond committing the act of spiking.
18. The Home Office is working closely with colleagues across Government and law enforcement to understand and tackle this issue. We recognise that spiking, particularly facilitated by a needle, can be a very distressing and frightening experience for victims and we want to ensure that those reporting these incidents have access to the right support.
19. Deputy Chief Constable (DCC) Rachel Kearton, the NPCC lead for alcohol, has been meeting regularly with representatives from industry to understand what actions can be taken in partnership to ensure that members of the public are as safe as possible on nights out.
20. DCC Jason Harwin, the NPCC lead for drugs, has been leading the law enforcement approach to understanding and tackling the increased reports of spiking, meeting regularly with government and law enforcement to develop a comprehensive response. This includes centrally tracking reports of spiking across all police forces and ensuring that there is a sufficient forensic capability to help identify what substances are being used.
21. Government alongside the NPCC, are working closely with the Department of Health and Social Care to ensure that suspected victims are given appropriate support, and that police are able to take samples to shed more light on the substances used and to help support any criminal proceedings.
22. The Department of Health and Social Care, including its Office for Health Improvement and Disparities, the National Clinical Director for Urgent and Emergency Care and the National Police Chiefs' Council (NPCC) met on 6 December 2021 to discuss standardisation of processes and information sharing between health and police. They are now co-producing guidance on this issue for accident and emergency departments. They are planning to undertake this work with the Royal College of Emergency Medicine.

23. We are aware of examples of partnership working across the country:

- o Devon and Cornwall Police introduced a force-wide strategy to obtain a more detailed picture of the issue around drink spiking in partnership with other agencies and the licensing trade. Police officers are able to utilise drink testing and urine testing to get initial results when allegations are made and take further action where appropriate.

- o Bristol City Centre Business Improvement District (BID), in partnership with Avon and Somerset Police, Bristol City Council, and the Bristol @ Night panel to raise awareness and tackle spiking in more than 50 venues in Bristol. The campaign is providing venues with Drink Spiking Testing Kits, a drink spiking procedure guide to train staff, and campaign materials to display within venues.

24. The Home Office is working with the police to consider the available testing kits with a view to commissioning a scientific review of their efficacy. This process will be challenging and is expected to take some time. We urge anyone with information on spiking incidents to contact the police.

### **Existing powers to tackle spiking**

25. Although we know that not all cases of spiking, whether in drinks or by needle, occur in nightclubs, we understand that these settings might be specifically targeted by offenders for this type of attack. We urge premises to assess what steps they think are needed for their particular venue to ensure their patrons are safe and protected.

26. However, we are not solely reliant on venues taking action themselves. The law already allows relevant conditions to be imposed.

27. The Licensing Act 2003, which governs the control and issuance of licences to sell alcohol, allows local licensing authorities to take a tailored approach to granting premises licences in order to uphold the four licensing objectives – the most relevant here being the objective to prevent crime and disorder.

28. Licensing authorities can impose conditions on any business that wants to sell alcohol, in order to reduce crime. These can include requiring the presence of suitably trained and accredited door staff, or CCTV for example. Furthermore, a local licensing authority can, when appropriate, require a licence-holder to enforce entry searches as a condition of a premises licence.

29. The police already have considerable powers to take action where they think there is a problem – these include temporary closure powers. They can call for a review of the premises licence and work with the management and the licensing authority to introduce new conditions to allow the premises to operate more safely. Local mechanisms can introduce searches where they are needed more quickly than waiting for a national mandate to be brought into effect.

30. There are a range of initiatives around the country supported by government funding that are already taking multi-agency action. Several areas have introduced safe spaces, including Chelmsford, Portsmouth, and Wrexham<sup>1</sup>–

areas where a combination of medical assistance, supervised recovery and other support services is provided to intoxicated, injured or vulnerable individuals.

31. Another area extended a scheme whereby door staff convert into street marshals at the end of the night across the whole city centre. Others have introduced taxi marshals, and organisations such as the Street Pastors provide invaluable assistance to those who may be vulnerable.
32. The Home Office is working closely with colleagues across government and law enforcement, including the Department for Health and Social Care to ensure that victims of spiking are receiving the proper treatment and support.
33. Victims can obtain medical advice via A&E or primary care. NHSEI issued messages to its Emergency Preparedness, Resilience and Response communications team and on the NHS website. In addition, UKHSA issued a briefing note to health protection teams and advice to the public via the FRANK website.<sup>2</sup>

### **Violence Against Women and Girls (VAWG)**

34. The Government is supporting the rollout of pilot initiatives to improve the safety of women in public spaces, including in the night-time economy. We are delivering a £5 million 'Safety of Women at Night (SWAN)' fund, in addition to the £25 million Safer Streets Fund Round 3 (SSF3). These funds are supporting projects that target potential perpetrators of violence against women and girls and seek to protect potential victims, as well as delivering educational programmes and training to raise awareness and change behaviours.
35. There have been 22 successful bids for funding for the SWAN Fund, and 57 for round 3 of the Safer Streets Fund, totalling more than £27.7m in funding to improve the safety of women in public spaces.
36. Bristol City Council will receive funding through the Safety of Women at Night Fund for a trial rollout of kits to detect drink spiking which will be made

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<sup>1</sup> [St John increases support for revellers | St John Ambulance \(sja.org.uk\)](#)

<sup>2</sup> **Published on NHS.UK**

[If you've been spiked](#)

- Spiking is when alcohol or drugs have been put in your drink without your permission.
- If your drink has been spiked or you've been injected with an unknown substance, and you think you've been sexually assaulted, go to [your nearest sexual assault referral centre \(SARC\)](#) for specialist care and support.
- If you've been spiked but have not been sexually assaulted, call 111 for urgent medical advice if you have any symptoms you're worried about. Also, contact the police to tell them what happened.
- [Find more information and advice about spiking on the Frank website](#)

Emergency Preparedness, Resilience and Response Comms

- If an individual has been spiked and sexual assault has not happened / is not suspected, then they should seek urgent medical advice at A&E
- If sexual assault or abuse has happened / is suspected and they are in a conscious state, then they should go to a SARC, where tests can be undertaken, including bloods.

available to all police officers and 60 night-time economy venues. This will enable officers to test drinks on the spot preventing assaults and help them to gain early evidence for any investigation.

37. Incidences of spiking also speak to broader issues of violence against women and girls. On 21 July 2021 the Government published a new and ambitious cross-Government Tackling Violence Against Women and Girls (VAWG) Strategy to help ensure that women and girls are safe everywhere.<sup>3</sup>

38. The VAWG Strategy sets out that we will prioritise prevention, support survivors, pursue perpetrators and create a stronger system, with an ambition to reduce the overall prevalence of VAWG crimes.

39. The VAWG Strategy commits to a number of actions and we are already making progress. This includes:

- The introduction of a new full-time National Policing Lead for Violence Against Women and Girls – with DCC Maggie Blyth now in post
- a national communications campaign with a focus on targeting perpetrators and harmful misogynistic attitudes, educating young people about healthy relationships and ensuring victims can access support.
- appointing a Transport Champion to make public transport safer for women and girls - Laura Shoaf and Anne Shaw have been appointed.
- piloting a tool, StreetSafe, which enables the public to anonymously report areas where they feel unsafe and identify what it was about the location which made them feel this way. The pilot launched in September and the data will be used to inform local decision-making.
- providing additional funding for projects to better understand what works to tackle violence against women and girls, as well as funding to specialist support services and helplines.

### **Women and girls in the night time economy**

40. The Security Industry Authority (SIA) are working to ensure that door supervisors' and security guards' qualifications include specific content relating to VAWG, and that its campaigns remind the industry and operatives of their role and responsibility in keeping people safe, with a focus on women's safety. The VAWG Strategy commits to the Home Office working with the SIA to consider what more can be done to strengthen these safeguards further.

41. The SIA is running a long-term public safety campaign targeted at the private security industry on this issue. In October 2021, the SIA sent out a direct communication to over 380,000 frontline licence holders advising how they can contribute to making women and girls safer in environments where they are deployed. The message includes a reminder of their training, that they play a vital role in protecting members of the public and that they have a duty of care with regard to people in vulnerable situations<sup>4</sup>. The message also includes advice of what to do should they have concerns about someone's safety.

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<sup>3</sup> [Tackling violence against women and girls strategy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/how-to-protect-yourself-and-others-guidance-for)

<sup>4</sup> [https://www.gov.uk/government/news/how-to-protect-yourself-and-others-guidance-for-](https://www.gov.uk/government/news/how-to-protect-yourself-and-others-guidance-for)

42. Between 29 November and 12 December 2021, SIA Investigators from the Compliance & Inspections team visited numerous towns and cities across the UK including Aberdeen, Manchester, Leeds, London, Birmingham, Cardiff, Winchester and Norwich promoting our advice on how to tackle violence against women and girls.
43. Investigators spoke to security companies and their staff who were deployed in either higher education establishments or night-time economy venues, whose clients include large numbers of students. This included meeting large numbers of door supervisors face to face who were deployed in the night time economy. As well as checking their understanding and knowledge of how to deal with vulnerable persons and how to tackle violence towards women and girls they shared a QR code which links directly to the broadcast message sent to licence holders.

### **Controlled drugs**

44. The Government is determined to reduce the harms caused by illegal drugs and ensure the criminals peddling these dangerous substances are punished. On 6<sup>th</sup> December, we published a landmark Drugs Strategy. The 10-year plan is designed to reduce overall drug use towards a historic 30-year low, and includes commitments to break drug supply chains, invest in drug treatment and recovery services, and deter use of recreational drugs.
45. Commitments in the strategy include:
- Investing a record £780m to deliver a world-class treatment and recovery system.
  - Dismantling over 2,000 more county lines – which are used to supply drugs and often involve recruiting children.
  - Reducing demand for illegal drugs and introducing tougher consequences for those who break the law – including bringing forward a White Paper to explore options to change their behaviour via civil sanctions and court orders. This could include, where relevant and proportionate increased powers to fine individuals, requirements to attend drug awareness courses and other reporting requirements and restrictions on movement, or temporary removal of a passport or driving licence.
46. At present, the incidents of needle spiking have not been linked to further offending, and in the great majority of reported needle spiking incidents, there is little evidence that there has been an attempt to inject controlled drugs.
47. However, If the substances are controlled drugs, in addition to offences under the 1861 Offences Against the Person Act (and, if there is a sexual motive, the Sexual Offences Act 2003), offenders will be committing offences under the Misuse of Drugs Act 1971.
48. If it emerges that substances are being used to facilitate crime and are either not controlled or controlled but not subject to sufficient sanctions, the Government

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would consider seeking advice from the Advisory Council on the Misuse of Drugs (ACMD), on whether they should be controlled under the Misuse of Drugs Act 1971 (the 1971 Act) and associated legislation, and, if so, the most appropriate classification and schedule.

49. Two groups of substances have been particularly associated with drug-facilitated crime: gamma-hydroxybutyric acid (GHB) and related substances, and rohypnol. Both are already controlled drugs. It must be emphasised that there is currently limited evidence on the substances used in reported needle-spiking cases.
50. The Home Secretary sought advice from the ACMD (GHB) and related substances, which have been used by some criminals to incapacitate their victims, on 6 January last year. On 20 November 2020 the ACMD published their review outlining eight recommendations for the Government to consider.
51. The ACMD's recommendations included the reclassification of GHB and two substances that can be converted to GHB on ingestion, gamma-butyrolactone (GBL) and 1,4-butanediol (1,4-BD), from Class C to Class B under the Misuse of Drugs Act 1971; and that GBL and 1,4-BD should be placed in Schedule 1 to the Misuse of Drug Regulations 2001 so that legitimate industrial users need to obtain a controlled drugs licence to possess, manufacture or import them.
52. Ministers agreed to these recommendations and the necessary legislation was laid in Parliament on the 15 December 2021<sup>5</sup>.
53. We trust this submission is helpful to the Committee's inquiry.

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<sup>5</sup> The Misuse of Drugs Act 1971 (Amendment) Order 2022 will move GHB, GBL; and 1,4-BD from Class C to Class B under the Misuse of Drugs Act 1971. The Misuse of Drugs (Amendment) (England, Wales and Scotland) Regulations 2021 will place GBL and 1,4-BD in Schedule 1 to the 2001 Regulations and abolish the exemption that currently permits possession of these substances without a licence in defined circumstances. The Order is available at the following link:

[The Misuse of Drugs Act 1971 \(Amendment\) Order 2022 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uk/2022/0000)

The Regulations are available at the following link:

[The Misuse of Drugs \(Amendment\) \(England, Wales and Scotland\) Regulations 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uk/2021/0000)