

Citizen Participation and Public Petitions Committee

5th Meeting, 2023 (Session 6), Wednesday
22 March 2023

PE1995: Improve support for victims of spiking

Lodged on	12 January 2023
Petitioner	Catherine Anne McKay
Petition summary	Calling on the Scottish Parliament to urge the Scottish Government to develop a multi-agency approach to investigating spiking incidents to ensure victims are given access to appropriate testing and incidents are investigated robustly.
Webpage	https://petitions.parliament.scot/petitions/PE1995

Introduction

1. This is a new petition that was lodged on 12 January 2023.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. While not a formal requirement, petitioners have the option to collect signatures on their petition. On this occasion, the petitioner elected to collect this information. 295 signatures have been received.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Scottish Government and is included at **Annexe C** of this paper.

Action

6. The Committee is invited to consider what action it wishes to take on this petition.

Clerk to the Committee

Annexe A

PE1995: Improve support for victims of spiking

Petitioner

Catherine Anne McKay

Date lodged

15/12/22

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to develop a multi-agency approach to investigating spiking incidents to ensure victims are given access to appropriate testing and incidents are investigated robustly.

Previous action

I have contacted Clare Adamson MSP.

Background information

We strongly believe a member of my family was spiked. The police officers who came to our house ruled there was insufficient evidence to investigate so therefore did not complete a urine drug test. If this had been done, we would have been able to establish with certainty if she was spiked. We pursued CCTV footage ourselves and pieced together a timeline of events. She was discovered unresponsive in the street by passers by and an ambulance was called. She was taken to the Royal Infirmary where several medical staff commented that it looked like she had been spiked but no drugs test was completed and police were not informed. She feels failed by a system that makes assumptions and judges a victim before investigating a potential crime. She would not have contacted the police if she did not believe with some certainty that she had been spiked. The police involvement or lack of made a traumatic incident worse.

Annexe B

The logo for SPICe (The Information Centre) is a purple rounded rectangle. The text 'SPICe' is in white, with 'The Information Centre' and 'An t-Ionad Fiosrachaidh' in white text below it.

The Information Centre
An t-Ionad Fiosrachaidh

Briefing for the Citizen Participation and Public Petitions Committee on petition PE1995: Improve support for victims of spiking, lodged by Catherine Anne McKay

Background

The [petition](#) argues for the development of:

“a multi-agency approach to investigating spiking incidents to ensure victims are given access to appropriate testing and incidents are investigated robustly”.

The petitioner believes that a family member was spiked and that the police should have taken more action to investigate whether this had indeed occurred.

The term ‘spiking’ is generally used to refer to situations where:

- someone adds alcohol or drugs to another person’s drink without their knowledge or consent (‘drink spiking’)
- a needle is used to inject drugs into a person without their knowledge or consent (‘needle spiking’).

Spiking can be prosecuted under various offences. As well as being harmful in itself, it can leave a person more vulnerable to a range of offending behaviour.

Previous parliamentary consideration of spiking

The Education, Children and Young People Committee held a roundtable evidence session on spiking at its [meeting](#) on 26 January

2022. The committee papers for that meeting provide [information on drink and needle spiking](#), including:

- written submissions from Police Scotland and Universities Scotland
- a SPICe briefing.

Police Scotland's submission states that it "takes all reports of spiking seriously and your report will be fully investigated" (p 12).

The SPICe briefing includes information on relevant criminal offences. It notes that:

"Although there is no specific offence of drink or needle spiking, various offences may apply.

In seeking to respond to freedom of information requests for statistics in this area (discussed below), Police Scotland has provided figures relating to what it described as the two most potentially relevant crime classifications:

- the common law offence of drugging
- the statutory offence of administering a substance for sexual purposes". (p 25-26)

The [official report](#) of the committee's meeting is available online.

Scottish Government

The Scottish Government's [written response](#) (January 2023) to the petition comments on Police Scotland's approach to reports of spiking, seeking to provide reassurance that all reports are taken seriously and thoroughly investigated.

In relation to the call for a multi-agency approach to investigating spiking, it states that:

"Throughout 2022 several round-table meetings have taken place to help steer the joint Scottish Government and public sector response to the act of spiking. The round-tables brought together partners from across the justice system including policing, victims organisations and prosecution in addition to representatives from higher and further education, community safety and night time economy."

The Scottish Government has also responded to several parliamentary questions on spiking. For example:

- [S6W-07437](#) “To ask the Scottish Government whether it has hosted another roundtable event on actions taken to tackle spiking crimes following an initial meeting on 4 November 2021” – answered on 25 March 2022
- [S6O-01551](#) “To ask the Scottish Government what steps are being taken to highlight the risks of drink spiking as the Christmas party season approaches” – answered on 16 November 2022.

Frazer McCallum
Senior Researcher
31/01/2023

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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Annexe C

Scottish Government submission of 12 January 2023

PE1995/A: Improve support for victims of spiking

Thank you for your email of 16 December, in which you requested a written response from the Scottish Government to the issues raised in petition PE1995.

The Petitioner, Catherine Anne Mckay, has called on the Scottish Parliament to urge the Scottish Government to develop a multi- agency approach to investigating spiking incidents to ensure victims are given access to appropriate testing and incidents are investigated robustly.

We understand from the Petitioner that there are concerns at how a case involving a family member was handled and that they feel let down by the Justice system.

It would clearly not be appropriate to comment on the details of any specific case, but it is important that we take account of and respond to any concerns that are raised. I can advise that Police Scotland takes all reports of spiking seriously and thoroughly investigates all reports. A comprehensive Investigative Strategy has been developed and circulated to provide guidance and direction to staff responding to and investigating incidents of spiking. A Detective Superintendent has national investigative oversight and Senior Investigating Officers (SIOs) have been appointed within each policing division to lead on all spiking related investigations locally. Every report of spiking is investigated. Police Scotland's focus is on identifying people who carry out an assault in this way, investigating fully, gathering evidence, and working with COPFS to bring the perpetrator to justice. They also work with partners to ensure people who do report to them are fully supported.

On the specific point about a multi-agency approach, I can advise that for some time the Scottish Government has taken a proactive approach to address concerns about the incidence of reported spiking in Scotland.

Throughout 2022 several round-table meetings have taken place to help steer the joint Scottish Government and public sector response to the act of spiking. The round-tables brought together partners from across the justices system including policing, victims organisations and prosecution in addition to representatives from higher and further education, community safety and night time economy. These meetings have been designed to discuss the range of initiatives and information available on spiking and to reassure the public that there is an ongoing co-ordinated response, as outlined by the Petitioner, to the dangers of spiking, in whatever form it might take. A key example of that work was the significant efforts undertaken to raise awareness and heighten vigilance in the run-up to the return to university and college campuses.

In addition, and prior to the festive period, we published information on the safer.scot website, inform and support the public around the subject of spiking. These can be accessed at [What to do - Immediate steps - Safer Scotland](#) and will be updated on a regular basis.

I hope that the information set out in this letter is helpful to the Committee.