

16 June 2022

Spiking incidents: current picture and activity

Purpose of report

For information.

Summary

This paper provides an update on the LGA's activity in response to reports of an increase in the prevalence of spiking incidents, accompanying an update to the Board from Gabby Chamberlain, spiking lead at the Home Office.

Recommendation/s

Board members to provide their views on the LGA's work on spiking.

Action/s

Officers to take forward as directed.

Contact officer: Jade Hall
Position: Policy Adviser
Phone no: 07818 577467
Email: jade.hall@local.gov.uk

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Spiking incidents: current picture and activity

Background

1. As the Board will be aware from media coverage, in recent months there has been an increase in reports of spiking. Spiking has traditionally been the term for when alcohol or drugs are put into someone's drink without their knowledge or consent. More recently, another form of spiking has been reported that involves individuals being injected by a needle without their consent.
2. To date, there has been limited evidence of secondary offences, for example theft or sexual assault, associated with the recent increase in spiking allegations. The police are continuing to analyse evidence to try and determine the motives for offences where they have been reported.
3. In response to the increase in spiking reports the LGA and other partners, such as the Institute of Licensing, UK Hospitality, the British Beer and Pub Association, and the Metropolitan Police, issued a joint position statement to encourage licensed premises to be proactive and take steps to improve safety for customers on a night out. This includes ensuring all incidents of alleged spiking are reported to the police and venues; providing appropriate training on preventing and responding to spiking to relevant members of staff; reviewing searching procedures and amending if necessary; and ensuring consideration is given to displaying information about spiking in licensed premises.
4. In December 2021 the Home Affairs Select Committee launched an inquiry into spiking. Cllr Jeanie Bell, one of the Safer and Stronger Communities Board's Licensing Champions, provided evidence to the Committee on behalf of the LGA.
5. Cllr Bell outlined the role of councils in responding to spiking incidents. She highlighted the crucial role that councils play in facilitating partnership working to prevent spiking and issues in the night time economy more generally, and the powers licensing committees have to respond to safeguarding incidents in licensed premises. We also [submitted written evidence](#) to the Committee to compliment Cllr Bell's evidence. This evidence reiterated that councils take reports of spiking seriously and engage in partnership working schemes and use their powers under the Licensing Act to keep communities safe. We also highlighted the guidance the LGA has produced to support licensing committees and called for more national funding for local initiatives that aim to address and prevent spiking and wider community safety issues.

Home Affairs Committee report

6. In April, the [Home Affairs Committee published its report](#). The Committee found that a lack of available data on spiking has made it difficult to get a clear picture of its true

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extent and will remain a barrier to policing until data collection is improved. They also found that a culture of viewing victims as having had 'one too many' and a lack of co-ordinated support from venues, police and health services has meant many incidents are going unreported. The Committee called for a focussed response to ensure that incidents are better investigated and a knowledge base developed to underpin new strategies to combat spiking.

7. They also had a number of recommendations which relate to licensing, which are listed below:
 - 7.1. '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 for Angela or the licensing security and vulnerability initiative (Licensing SAVI).
 - 7.2. Within three months the Government should:
 - 7.2.1. 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;
 - 7.2.2. work with local authorities to develop an anti-spiking strategy which encourages local licensing authorities to make better use of these powers; and
 - 7.2.3. 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.
 - 7.3. 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.'
8. The recommendations outlined in the Home Affairs Committee's report provide a helpful opportunity for reflection and it would be useful to get the Board's views on them. Officers are working closely with colleagues at the Home Office on the Committee's findings and how we can support the Government's response to its recommendations. Our initial steer to the Home Office has been the following:
 - 8.1. On recommendation 7.1, we are aware that safety advisory group guidance for events is being updated and we have advised that there may be an opportunity to

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incorporate requirements around safeguarding into that. Alternatively, the Home Office could consider updating the Section 182 guidance of the Licensing Act 2003 to encourage councils to take these steps when licensing festivals, and engage with the Events Industry Forum about the guidance in the Purple Guide (the main guidance on non-sporting events).

- 8.2. On recommendation 7.2.1, the current statistical returns on alcohol licensing do not provide this granularity of data. We have offered to convene a discussion on what data councils do have, or suggested a deep dive exercise with a small group of councils. It will be important that this proposal does not lead to the creation of additional burdensome data collection requirements.
 - 8.3. On recommendation 7.2.2 and 7.2.3, we will support councils to consider these points, including through our LGA licensing handbooks.
 - 8.4. On recommendation 7.3, we have agreed to share examples of councils who are taking a proactive approach to tackling spiking with the Home Office so that they can promote these examples as best practice.
9. The Home Office has advised that they will be issuing a formal report on the scale of spiking in spring 2023, are considering whether they will make spiking a specific offence, and that they are looking at updating the Section 182 guidance which accompanies the Licensing Act 2003. This work is of significant interest to the Minister, Rachel Maclean MP, who regards spiking as a big issue and a priority for the Department.

Questions for discussion

10. The Board's views on the recommendations in the Home Affairs Committee report would be welcome. We would also be interested in understanding if members are aware of any good practice in their own council that we could showcase.
11. It would also be helpful to get the Board's views on our planned work on this issue:
 - 11.1. We hope to issue a media release with the Association of Police and Crime Commissioners around the dangers of spiking with alcohol to coincide with 'freshers week' at Universities.
 - 11.2. We plan on developing a short guidance note for councils on spiking which outlines best practice and suggests some recommended actions.
 - 11.3. We will incorporate elements of this guidance into our existing licensing handbook.

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- 11.4. We will work with councils and Government to identify best practice approaches to considering sexual harassment, misconduct and gender based violence in licensing policies.

Implications for Wales

12. The increase in reports of spiking was experienced in Wales, as well as England. The Licensing Act 2003 applies to both England and Wales.

Financial Implications

13. None

Next steps

14. Officers will use the Board discussion to inform our future work on this important issue.