

Our ref: FOI 1415017/22

Can you please give the data for both 2021 and 2022 (to date) separately, and detail what the 2022 cut-off point is.

Please use the following crime codes for the request:

• 088/05 – Administering a substance with intent • 008/02 – Administering poison with intent to injure or annoy • 005/10 – Administering poison so as to endanger life

1. How many reports of spiking offences were made to the force in 2021 and 2022 to date?

2. How many people were charged with a spiking offence in 2021 and 2022 to date?

3. How many reports of spiking offences using a needle or injection were made to police in 2021 and 2022 to date? How many of these have been confirmed offences?

4. How many suspected spiking victims who reported an offence to the police took a blood or urine test? Can the force please confirm whether this information held is only for police-provided tests or tests that may have been provided by another organisation, for example the health service or a nightclub.

Unfortunately, West Yorkshire Police are unable to provide you with the information requested.

It is estimated that the cost of providing / locating the information you seek within your request, would exceed the time threshold. When a reasonable estimate has been made that the appropriate limit would be exceeded, there are no requirements for a public authority to undertake the work.

Please see Appendix A, for the full legislative explanation as to why West Yorkshire Police are unable to provide the information.

If you would like to refine or narrow the scope of your request, West Yorkshire Police will assist you in negotiating the possibility of the provisions, of the information requested. Please see the Advice and Assistance, under Section 16 of Appendix A.

## **Appendix A**

The Freedom of Information Act 2000 creates a statutory right of access to information held by public Authorities. A public authority in receipt of a request must, if permitted, state under Section 1(a) of the Act, whether it holds the requested information. If held then this information will be communicated to the applicant under Section 1(b) of the Act.

The right of access to information is not without exception and is subject to a number of exemptions. Which are designed to enable public authorities to withhold information that is unsuitable for release.

Importantly the Act is designed to place information into the public domain, that is, once access to information is granted to one person under the Act, it is then considered public information and must be communicated to any individual should a request be received.

### **DECISION**

This letter serves as a Refusal Notice under Section 17 of the Freedom of Information Act 2000.

Section 17 of the Act provides:

(1) A public authority which, in relation to any request for information, is to any extent relying on a claim that information is exempt information must, within the time for complying with Section 1(1), given to the applicant a notice which:-

- (a) States the fact,
- (b) Specifies the exemption in question, and
- (c) States (if that would not otherwise be apparent) why the exemption applies.

## REASONS FOR DECISION

The reason that we are unable to provide you with this information is covered by the following Exemptions:

Section 12 - Where the cost of compliance exceeds the appropriate limit

West Yorkshire Police can confirm that we hold the information you seek, however it is not held in an easily retrievable format.

When looking at of crimes recorded during the period which:

- were not subsequently cancelled
- were either classified as one of the following offences or included the following keywords in the crime notes / MO:

Offences:

005/05 Administering drug with intent to commit indictable offence

005/10 Administering poison so as to endanger life

005/24 Use of noxious substances or things to cause harm and intimidate

008/02 Administering poison with intent to injure or annoy

088/05 Administering a substance with intent

Keywords:

SPIK and DR\_NK

SPIK and NEEDL

SPIK and INJECT

SPIK and SYRING

SPIK and SCRATCH

- specifically related to the victim believing they had been "spiked" - i.e. a substance administered without their knowledge

The substance may have been administered by any means (e.g. via drink, food, injection)

Information excludes:

- threats or attempts - e.g. where the victim suspects a drink has been spiked and therefore does not consume
- offences where the victim is forced to take a substance, suspecting it to be a drug etc.
- offences involving substances being taken willingly
- offences involving long-term poisoning

There were 1,153 offences which fell into the above category, in order to extract the requested information each crime would need to be checked manually in order to determine whether the offence was confirmed or a blood/urine test was taken and who by. This information may not recorded on our systems. At a minimum of 3 minutes per record this would take over 57 hours to provide.

It has been estimated that the cost of providing you with this information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the 'appropriate level' as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, which currently stands at £450 worth of work.

Our ACPO guidance states that we do not issue fees notices and therefore in accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice.

West Yorkshire Police have utilised Section 12, which states "A public authority does not have to comply with a request for information if the cost of compliance exceeds the appropriate limit", this is further affirmed by the Decision Notice issued by the Information Commissioner's Office (Reference: FS50143930), and Guidance issued by the Information Commissioner's Office on Using the Fees Regulations.

#### ADVICE AND ASSISTANCE

Under Section 16 of the Freedom of Information Act 2000, my duty to provide advice and assistance to persons who have made request for information, please be advised that West Yorkshire Police can offer the following advice as to how to refine your request:

We are able to provide the number of suspected drink spiking occurrences for the period.

We have several previous responses on the topic of drink spiking uploaded to our disclosure log which may be of interest/assistance for refining your request:

[Freedom Of Information - Disclosure Logs | West Yorkshire Police](#)

Please note that police forces do not use generic systems or identical procedures for capturing the data. For these reasons this response to your questions should not be used for comparison purposes with responses you may receive from other police forces.