

Our ref: FOI 1464840/22

In collaboration with the Drinkaware Charity UK and Cambridgeshire Constabulary, we are researching on drink spiking topic. Therefore, on behalf of the research team, we are requesting you to provide data related to drink spiking from 2017-2022 as reported to your force. Through the freedom of information request, we are asking for following information:

- (i) the number of offences that were reported to the police as alleged drink spiking (including needling)
- (ii) the number of alleged drink spiking offences that were investigated by the police
- (iii) the number of offences that were referred to the Crown Prosecution Service
- (iv) the number of offences that were prosecuted
- (v) what measures or practices have been changed since October 2021 to facilitate reporting and to provide support?

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.

**To determine whether an offence has been referred to CPS would require each crime to be manually reviewed. There were 1,576 crimes recorded during the period which related to spiking via drink or injections, or where the means was unknown. At 2 minutes per record, this would take over 52 hours.**

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 crimes involving spiking via drink or injection, or where the means was unknown, including the victim age/gender and the type of location.**

**Please also note that we have provided several previous responses on this topic which may be of assistance. These can be viewed on our disclosure log via the following link:**

[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.