



NTIA

Alleged Spiking - Evidence
Gathering Policy

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Following an alleged drink spiking claim it can be very important for Police to get real evidence in order to be able to further their investigations and convict criminals. The rule of evidence is that 'real' evidence is best. Real evidence is, for example, the bottle or glass used in an assault or a written or oral witness account of the incident.

The next best evidence is secondary evidence. An example of this is a CCTV recording of an incident. Items of evidence may also have forensic evidence on them. Examples of forensic evidence are hair, trace chemicals, blood samples or fingerprints.

If an alleged drink spiking has occurred, it is important that any evidence is obtained without delay. Valuable evidence can be lost in minutes. All staff have a role to ensure any evidence is not lost or destroyed.

Key tasks to follow to gather evidence of alleged drink spiking:

- Prevent evidence from being destroyed; for example being put in the bin or emptied down a sink.
- Prevent evidence from being removed or moved; for example clearing bottles and glasses away.
- Prevent evidence from being contaminated; for example by adding fingerprints or additional substances to the evidence.
- Secure the evidence; collect any bottle or glass used in the alleged spiking, including its contents and put in a sealed bag or container.
- Collect statements from the alleged victim and any other witnesses. This would include why they think they have been spiked, where this occurred, any symptoms they have, date and time if known, what they have eaten and drunk, description of anyone who may have spiked their drink.
- Review CCTV footage if given date, time and location.

Here is guidance for the Licensed Trade provided by Police Scotland:

Spiking is when someone adds alcohol or drugs to another person's drink without their knowledge or consent and is a criminal offence.

Spiking by injection is when a needle is used to inject drugs into a person without their knowledge or consent and is also a criminal offence.

As a licensee you will want to ensure the safety and wellbeing of your customers when they are within, and around, your premises.

There are a number of steps you can take to help avoid incidents occurring:

- Train your staff to be aware of the possibility of drinks being spiked and encourage them to monitor unattended drinks.

- Train your staff to recognise the signs of a person who may have had their drink spiked - this includes suddenly appearing intoxicated, drowsiness, vomiting or being disorientated.
- If anyone is acting suspiciously around unattended drinks, challenge them or ask them to leave the premises immediately.
- If a customer reports that their drink tastes or smells unusual, don't hesitate to replace the drink. If there is suspicion that the drink may have been spiked, seize the drink and report it to the police immediately.
- If a customer reports having their drink spiked be mindful they may not be the only one.
- Alert all staff, increase vigilance and consider patrols, CCTV monitoring and lighting of your premises.
- If a customer appears drowsy, disorientated or showing signs of intoxication take action and assist - particularly those who may have become isolated or separated.
- Don't hesitate to assist customers who appear suddenly intoxicated or disorientated - even if they are in the company of others.
- Be vigilant and prepared to intervene when strangers offer assistance to anyone within, or outside, your premises.
- Door stewards should be alert to persons loitering outside premises for no apparent reason and be prepared to challenge them.
- Consider adopting a policy of personal search as a condition of entry to your premises.
- Display clear signage informing customers that refusal to be searched will result in refusal of entry.
- Consider increased numbers of door stewards to ensure thorough searches of customers.
- Stewards should be encouraged to pay attention to items within wallets/purses/small pockets that could easily be missed. All searches should be carried out in a polite and professional manner.
- All incidents of drink spiking or spiking by injection should be reported to the police at the earliest opportunity. This will ensure all investigative opportunities are maximised, evidence is preserved and the likelihood of bringing offenders to justice is increased.
- Licensed premises are in a position to make a significant contribution to the safety of their customers and enhance the experience for customers and staff through education and engagement.

