

## Universities Scotland submission to Holyrood's Education, Children and Young People on spiking

Universities Scotland represents the Principals of Scotland's 19 higher education institutions. We work closely with various professional networks in the sector to inform our work and this submission was additionally informed by the expertise of the AMOSSHE Scotland network of Heads of Student Wellbeing.

Universities Scotland is a founding member of the Equally Safe in Colleges and Universities Group (now known as the Equally Safe Core Leadership Group for Higher and Further Education) and has had action to address gender based violence (GBV) in its remit since 2017. Universities Scotland recently participated in two roundtable discussions on spiking in late 2021, organised and convened by the Scottish Government's Cabinet Secretary for Justice and Veterans. We work very inclusively and our policy and projects to address violence against women and girls (VAWG) have always included student representatives and organisations representing lived experience. This submission makes use of data from a survey of Scotland's universities taken in 2019. As such, practice in institutions may have overtaken the data and may under-represent the current situation.

It's important to start this submission by saying that non-judgemental and confidential support is available to all students from their higher education institution, if they think they have been a target of spiking (drink, drugs or by needle). The microsite [endgbv.org](https://endgbv.org) lists university and college contact information as well as specialist services.

### Prevalence

- Media reports of a rise in the incidents of spiking and a new threat of spiking by needle in autumn 2021 were alarming. We commend the organisers of the Girls Night In social media campaign for increasing the visibility of this threat, as part of the wider issue of violence against women, and securing urgent and more mainstream political attention on it at Scottish and UK level. Greater awareness will help to change societal attitudes towards zero tolerance of spiking and greater understanding and support for victims.
- It is more appropriate that Police Scotland comment on data on reports and prosecutions for crimes related to spiking and associated sexual offences in Scotland. In Scotland, there is no offence for "spiking" as such, instead such instances are likely to be recorded as either (i) crimes of administering a substance for sexual purposes under section 11 of the Sexual Offences (Scotland) Act 2009, or (ii) drugging (assault).
- Whilst this is a very serious issue, and the response must be robust, we note from stakeholder discussions at national and regional level and the data we have seen, that the number of reported incidents of spiking by needle in September and October is very low in contrast to the media's focus (although please note our comments on under-reporting below). Spiking of drinks (whether by alcohol or drugs) is more prevalent and a bigger concern. It is right that there is widespread awareness of a potential risk but it is also important that we have accurate data and information to avoid disproportionate fear and anxiety.
- The law is different in England and it may also interest the Committee to note the data relating to autumn 2021 as shared by the National Police Chiefs Council as part of the Home Affairs Select Committee's inquiry into spiking at Westminster.<sup>1</sup>

---

<sup>1</sup> <https://committees.parliament.uk/writtenevidence/41480/pdf/>

- Our understanding is that women are disproportionately (though not exclusively) the targets of such offences and men are disproportionately the perpetrators.
- We are not aware, from the evidence available at Scottish or UK level, that students have been the perpetrators of spiking or spiking-related offences.
- However, there are a number of challenges in gathering reliable data on spiking and a few points we would like to make in that regard:
  - The full extent of spiking will be significantly under-reported for several reasons including self-doubt and uncertainty of what happened as a result of fragmented memory (which is obviously a consequence of the crime), fear of being believed and fear of being judged.
  - Disclosures (to seek support) and reports to the police (to progress a criminal matter) or to universities (to seek support and/or to progress sanctions against the suspected perpetrator if they are a student) are different things. Only the Police have the ability to progress this as a criminal matter.
  - As noted above, victims of spiking can disclose and/or report what happened to them to one or many sources including the police, specialist VAWG organisations and/or their university or college. Whilst it is welcome that victims have options to seek support how and where they feel most comfortable, the data is not recorded consistently across these organisations nor can it be shared as standard which makes it more difficult to gain an accurate picture.
  - Students are not alone as a potential target of spiking. There is very limited evidence on the extent to which students specifically are being targeted above others in the 18-25 age range. We feel it is important that awareness campaigns are targeted at all ages and genders.

## Prevention

### Behaviours and culture.

- This is a far wider issue than can be addressed by universities alone however, universities have a duty of care to their students, which they take very seriously, and a corresponding responsibility to shape the culture in their community of students and staff and to define acceptable behaviours. This has been a very active area of policy development in recent years.
- Scotland's universities subscribe to both the Scottish Government's *Equally Safe*<sup>2</sup> strategy to address gender based violence and to Universities UK's *Changing the Culture*<sup>3</sup>, dating from 2016, which is a strategic framework for addressing harassment of all forms (including all forms of sexual harassment).
- This agenda has support at Principal level, with close connections into university systems of governance and regular institution-level checks on progress. A 2019 survey of progress indicated that 92% of Scottish institutions are taking an institution-wide approach to cultural change to ensure a safe and respectful environment (which covers GBV within a holistic approach to addressing harassment).<sup>4</sup>
- Universities are proactive in communicating behavioural expectations and sanctions to students. This approach is framed more widely than spiking but does take a specific focus on aspects of gender based violence. In addition to setting out acceptable behaviours in official policies, 77% of institutions advised they run preventative campaigns focused at students. 62% of institutions had

---

<sup>2</sup> Scottish Government (2017) [Equally Safe Strategy](#)

<sup>3</sup> Universities UK (2016) [Changing the Culture](#)

<sup>4</sup> Universities Scotland (2019) [Changing the Culture in Scottish HE](#).

delivered bystander training to students and 67% had delivered consent training (as of 2019).<sup>5</sup> Bystander training is noteworthy in regards to spiking as victims of spiking risk being dismissed as drunk or out of control by their peers or staff in the night time economy which can leave them without the support they need and potentially more vulnerable (if they are told to leave a bar/club or can't get a taxi home).

- Every institution is committed to a rolling-programme of preventative measures (communications and training) with their student community and will be prioritising different aspects of this according to local need. This is intensive work, which needs to be repeated frequently given the highly transient nature of student communities with students entering/exiting higher education every year. Universities also face the challenge of getting their messages to cut-through to students, from the point of enrolment onwards, in what can be a very “noisy” and information-saturated environment for students. Some institutions have included this information in pre-arrival information (46% as of 2019), in induction talks (42%) in mandated consent training for new enrolments (no data available) and a signed document or contract with students (9%).<sup>6</sup>
- **Drink testing kits.** Discussions at the Scottish Government’s Roundtable meetings noted the availability of several testing strips/kits (of drink/saliva/urine) available commercially. There are several different resources available, which test for the presence of different drugs but we note Police Scotland advice that the strips vary in what they can test for and they may not be a reliable diagnostic or forensic tool. We are aware that some institutions make use of these resources (including some looking to implement them in situ from autumn 2021) but Universities Scotland does not have reliable data on the use of these in licenced premises on university campuses (whether owned by the university or student association).
- **Other measures taken by institutions.** In addition to student-facing communications, to raise awareness and indicate zero tolerance when it comes to spiking, several institutions stepped up the visibility of their actions in autumn 2021, in response to reports of increased incidents of spiking. Several university premises already make use of the [Ask for Angela](#) initiative. The University of St Andrews introduced safety patrols and bag searches, the University of Glasgow increased surveillance at their night time venues and the West of Scotland implemented use of testing strips, as did Stirling University alongside additional staff training. However, institutions note that the impact of this is hard to note in the university sector given the number of in-person events and use of licenced premises on campus has been far more restricted in the period September 2021 to January 2022 as universities have been operating under more cautious restrictions than the rest of the economy.

**Preventative approaches must be focused on perpetrators and not place undue emphasis on potential victims.**

- The approach to prevent spiking needs a multi-agency approach which is focused on both on a robust police response, prosecution and stiff penalties, used as a deterrent. Communications must also focus on perpetrators (akin to Police Scotland’s “Don’t Be That Guy” campaign) rather than steer potential victims to adjust their behaviours in a way that risks victim-blaming (as with other incidents of GBV) and discourages disclosures/reporting.
- In the wake of news reports of an increase in spiking incidents in autumn 2021, universities stepped up their communications to students to raise awareness and understanding. We believe

---

<sup>5</sup> Universities Scotland (2019) [Changing the Culture in Scottish HE](#).

<sup>6</sup> Ibid.

that university-communications, often co-created with their student associations or working in partnership together, got the messages and tone right.

- University communications to students have also made it clear from the outset of the pandemic, that students will face no consequence if/where they disclose/report an incident of GBV (like spiking) that occurred during breaches of COVID regulations (such as a house party that would have broken restrictions on household mixing) as we do not want that to be a deterrent to reporting and seeking help.

## Response

- Only the police can progress a criminal case. Universities' role in responding (in addition to prevention work) is potentially two-fold. Primarily, our role is one of support for a student making a disclosure and/or report of spiking. Secondly, universities may also have a role in progressing disciplinary procedures where there a student may be a perpetrator of spiking and a report is made within an institution's processes to this end.
- **Support.** Confidential and non-judgemental support is available in every university for any student who thinks they may have been a victim of gender based violence. Support is not conditional on the person's willingness to report the incident, which is an important point. Several universities have trained sexual violence and misconduct liaison officers (SVMLO) who can provide specialist support. More generally, it is possible that a student will disclose that they have been spiked (or are a victim of other forms of GBV) to a university staff member they know and trust (whether trained or untrained). To ensure that no member of university staff lacks the basic understanding of how to respond to an initial disclosure of GBV, back in 2018 Universities Scotland worked with partners (including VAWG organisations, Scottish Government and NUS Scotland) to create and distribute over 100,000 GBV support cards to be worn or carried by every member of university (and college) staff. [The cards](#) include 6 steps to guide a first disclosure conversation (taken from the Equally Safe Toolkit, intended to avoid judgement, offer reassurance that they are believed and prevent further trauma) and contact information for specialist support services so there is a clear path to the right advice.
- **Reporting.** In regard to reporting within a university context, universities have been very active on this front with more than 75% spending time improving the visibility and clarity of information on how to report by 2019, more than two-thirds developing or improving their mechanisms for reporting by then and more than 66% investing time and resource into staff training.<sup>7</sup>
- **Reporting.** Centralised online reporting tools are now used by several Scottish HEIs, with the tool (and therefore the data) specific to each institution. Universities Scotland has not updated our figures on the use of online reporting tools in the sector since 2019, but we suspect this will have increased over the last two years given the accelerated reliance on online platforms due to the pandemic. Online reporting tools allow for anonymous and non-anonymous reporting. The move to a centralised reporting system for GBV and/or harassment within each institution is significant progress as this was not commonly the case prior to 2016. A centralised reporting system helps each institution to develop more robust data that can be acted on and can also be reported to leadership teams (and governing bodies) to inform strategy, resource allocation and training.
- **It comes back to culture.** Universities are aware that in addition to having reporting platforms and processes in place, the bigger issue is having the environment where those who have experienced spiking and other forms of GBV or harassment have the confidence to come forward, knowing

---

<sup>7</sup> Ibid.

their report will be acted upon. This brings us back to comments made earlier on establishing the right culture within universities.

### **Partnership working with the Police**

- As incidents connected to spiking can be a criminal offence, close working between universities and their local police forces is vital to best safeguard potential and actual victims. Although still highly challenging, Police Scotland is best placed to gather up-to-date information on the prevalence, location, motives and perpetrators of spiking, and should share as much information as is appropriate with universities in order to maximise the effectiveness of communications to students and potential victims.
- Scotland's universities report effective local relationships with Police Scotland in regards to violence against women and student safety. In a 2019 survey of universities' approaches to addressing harassment of all forms, 85% of institutions said that external partners have been key to their approach, with Police Scotland, alongside the NHS and regional rape crisis centres, as the most frequently cited partner.<sup>8</sup>
- Scotland has two *Fearless* initiatives, *Fearless Edinburgh* and *Fearless Glasgow*, both of which are city-wide collaborations between universities, colleges, Police Scotland, the City Council and VAWG organisations, focused on tackling GBV. Other institutions in other parts of Scotland have largely similar city or regional collaborations with the Police and other partners (though not operating under the *Fearless* name).
- At a national level, Police Scotland has worked closely with the Equally Safe Colleges and Universities Group since its inception. Since expanding its remit in 2017, to include GBV, Universities Scotland has benefited enormously from the expertise of Police Scotland and is grateful to its officers.

**ENDS**

**Further information is available from:** Susannah Lane, Head of Public Affairs, Universities Scotland.

[susannah@universities-scotland.ac.uk](mailto:susannah@universities-scotland.ac.uk)

---

<sup>8</sup> Ibid.