

21.11.23

**8 The Connétable of St. Martin of the Minister for Home Affairs regarding action taken to address drink spiking (OQ.235/2021):**

Will the Minister advise what recent records, if any, his department holds on the incidences of drink-spiking in the Island, and will he explain what action is currently being taken to raise public awareness of this issue and to address and mitigate any such incidents?

[11:00]

**Deputy G.C. Guida of St. Lawrence (The Minister for Home Affairs):**

During 2020 and 2021 the States of Jersey Police have taken reports of 25 suspected drink-spiking incidents, none of which have been confirmed. In almost every case the outcome has been confirmed as excess alcohol consumption. In short, there have been no confirmed cases of drink-spiking in Jersey during the last 2 years.

**4.8.1 The Connétable of St. Martin:**

I think this is one of those ones that is very difficult to prove but it does exist. Could the Minister address how women in Jersey who have been affected by this or have concerns about drink-spiking help and provide input into the development of new policies to mitigate it because I believe a lot of them do not come forward?

**Deputy G.C. Guida:**

I think the issue has had a lot of publicity, especially in the U.K. where there was a recurrence of cases. I do believe that the issue has enough publicity and that people are aware of it. The police do investigate every possible outcome and that people are tested to ensure that there were no drugs involved. However, the first drug used for spiking is basically alcohol itself, it is just being given a larger dose of alcohol than what you expect and there is very little to do after the fact. People must be aware that this is a possibility and need to be careful with their drinks.

**4.8.2 Deputy L.M.C. Doublet:**

I am disappointed that the Minister's message there was to potential victims to be careful with their behaviour. What is the Minister going to do to address potential perpetrators and send out a message about consent, i.e. that it is not appropriate to initiate any sexual contact with somebody who is too drunk or intoxicated to consent?

**Deputy G.C. Guida:**

I just introduced, 2 years ago, a new Sexual Offences Law which had been prepared by my predecessor, Senator Moore, and this sexual offence law is quite severe on this. It defines consent very precisely and the penalties for bypassing consent are extremely severe. I think it is strong as it is but I can use this platform to publicise it again. Sex without consent is extremely severely punished in Jersey.

**4.8.3 Deputy L.M.C. Doublet:**

I am not sure I agree with the Minister's last comment given our rape detection and conviction rates. What is the Minister's personal message to any potential perpetrators who might be considering committing such offences, please?

**Deputy G.C. Guida:**

The personal message is that we are talking about 2 offences that stack up. One is sex without consent, which is, again, severely punished in Jersey, and the other one is the use and supply, because in this case the possible supply of drugs, the drugs used generally for spiking are class B drugs. Just possessing them has a maximum penalty of 5 years in jail, supplying them - which would be the case here - is 14 years in jail. So we are talking about an extremely severe offence. It is really not something that you are going to come out unscathed from.

#### **4.8.4 The Connétable of St. Martin:**

I was stunned by the Minister's non-answer which seeks to put the blame on the victim. Drink-spiking is a dreadful offence; it does happen quite often. I will ask again: will the Minister commit to collecting this or similar data in order to improve safety in Jersey and provide ways to make it easier to report drink-spiking so women feel that there is a safe space. Also to educate men in general that this is an offence and will not be tolerated?

#### **Deputy G.C. Guida:**

Sorry, no instances of drink-spiking have been noted in Jersey in the last 2 years. It may happen and not be declared but as far as we know it has not happened in Jersey in the last 2 years, so I do not know what else I can say. People have to be careful but this is not a common occurrence in Jersey. The last thing, I can repeat again in any way you want, spiking a drink and having non-consensual sex carries a very heavy penalty in Jersey. I do not know which words I am expected to use for this. People are going to spend years in jail for this. This is definitely not something that is encouraged by anybody.