

Cops and Ravers:

Should organisers be liable for their guests' drug use?

Hugh Tobin: Every generation brings with it new stereotypes. Fashions and drugs might change, but not much else does. Ravers—people who have a passion for dancing and electronic music, and are often stereotyped as drug users—are just another social fad and they deserve no more special attention than the next group. However, ravers and rave organisers have often been the victims of unwarranted police targeting and infringements on their civil rights in the name of 'law and order'.

Organisers at a rave held in rural Victoria in December were called on to pay the costs of the emergency services costs when 14 people overdosed on illicit drugs at the event. The local council plans to present the organisers of the Ultraworld festival with a bill and expects that they should contribute to the costs incurred by emergency agencies.

Also as a result of the overdoses, the Ballarat health services want all future raves at the site to be banned.

Dance festivals around the world have come under special attention from the media and law enforcement agencies in recent times, particularly due to common reports in the media of overdoses on the drug Gamma Hydroxybutyrate (GHB). Despite a dance scene which prides itself on tolerance, freedom and love, all ravers now seem to be labeled as filthy drug criminals and are treated as such.

In response, governments around the world are trying to pass the responsibility for law enforcement onto event organisers and nightclub owners and hold them liable if they fail to control the problem. But law enforcement should be a police matter—it is individuals who should be held responsible for breaking the law at events, not event organisers who have little ability or moral responsibility to influence such behaviour.

In 2003 the United States passed the *Drug Anti-Proliferation Act* (commonly known as the RAVE Act) which is accused of making it easy for the federal government to prosecute innocent business owners for the drug offenses of their customers. Similar legislation has been common since the United Kingdom first recognised raves in law with the Criminal Justice and Public Order Act 1994 which gave the police powers to 'remove persons attending or preparing for a rave.' That legislation gave the police powers to remove ravers from public land when they were 'likely to cause serious distress to the inhabitants of the locality.'

Hugh Tobin is the Managing Editor of the IPA Review.

The RAVE Act targeted rave culture including legally sold fashion accessories because it considered them to be drug paraphernalia. In its prologue, the legislation recommended that prosecutors should take into consideration the sale of water and the presence of glowsticks and even menthol nasal inhalers because they provided evidence of promoters encouraging drug trafficking at events. Glowsticks are often used at raves in a type of dance called glowsticking. (Public resistance to the drug paraphernalia section eventually led to these arcane requirements.)

The current methods used by police for catching drug dealers at events are inefficient, expensive and, for the most part, ineffective.

If the police are serious about the drug problem, then surely the huge amounts of resources dedicated to drug detection at raves would be better spent on more drug buses outside the events which would actually better protect the community from the consequences of drugs, or by being put towards large scale drug detection where police might find real drug dealers with millions of ecstasy tablets, rather than a small bag of them stuffed down some junky's underwear.

A few changes to the permits for these events can ensure that they go ahead with less risk to the health of the attendees and less cost to the community. If event organisers banned pass-outs, this could stop ravers from stashing drugs in their cars and going back and forth between the rave in order to avoid detection by the police. This would provide real results, rather than just creating photo opportunities for the police.

Raves are not an important target in combating the drug problem and little, if anything, comes out of having sniffer dogs present at a large expense to the community. A sniffer dog costs up to \$100,000 to train and also requires a paid handler. A report by the New South Wales ombudsman in 2006 found that in NSW out of over 10,000 people identified by sniffer dogs as potentially carrying drugs between 2002 and 2004 only 19 were successfully prosecuted for supplying drugs. The study also found that only about 20-30 per cent of those identified by sniffer dogs are in possession of drugs and yet the other 70 or so per cent of individuals can be subjected to the indignity and harassment of being questioned and searched.

If police with sniffer dogs at an event can't deter individuals from taking drugs then it is hard to fathom what other steps organisers can take.

There is nothing that distinguishes a raver from other people. Sniffer dogs don't harass people at pubs or at the Melbourne Spring Carnival or in their office jobs. Drug use at raves is a byproduct of a wider drug problem, and not the cause of it.

R

