

Encounters with police drug detection dogs at music festivals amongst people who regularly use ecstasy and/or other illicit stimulants in Australia

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Funding information

Department of Health and Aged Care, Australian Government

Abstract

Introduction: Despite increasing evidence challenging the effectiveness and legality of police drug dog operations, these strategies remain common. We aimed to describe drug dog encounters at music festivals, behavioural adaptations taken in anticipation of their presence and consequences of encounters amongst a sample of people who regularly use MDMA/ecstasy.

Methods: Data were collected via interviewer-administered questionnaires in April–June 2019. Australians aged 16 years or older who used MDMA/ecstasy and/or other stimulants monthly in the last 6 months were recruited from capital cities via social media and word-of-mouth ($n = 797$). Participants reported recent drug dog encounters, encounter settings and actions taken in anticipation of and in response to encounters.

Results: In this sample, encounters with drug dogs at festivals were common (60%), with most participants (92%) reporting anticipating the encounter. Most (86%) of this group reported behavioural adaptations to avoid a detection, with concealing drugs well (57%) and consuming prior to entering the festival (20%) most reported. Only 4% of those who expected drug dog presence chose not to carry or consume drugs. One-quarter (26%) of those who reported an encounter were stopped by police and 4% were searched (bodily/bag search).

Discussion and Conclusion: Most participants anticipated drug dog presence at festivals, however, were not deterred from carrying or consuming drugs. Some reported adaptations to avoid detection may increase drug-related health, social and legal harms. Our study suggests drug dog presence at festivals does not deter carriage/use of illegal drugs, and echoes concerns regarding the efficacy and appropriateness of this policing initiative.

KEYWORDS

drug detection dogs, festivals, harm reduction, police

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Key Points

- Police drug dog encounters remains common amongst people who regularly use MDMA/ecstasy.
- Despite the majority of participants reporting anticipating police drug dog presence at music festivals, few were deterred from carrying or using illegal drugs.
- Measures taken to avoid detection carry potential for increase drug related health, social and legal harms.

1 | INTRODUCTION

Police drug detection dogs (drug dogs) are a street-level policing strategy introduced with the stated aim of detecting and prosecuting drug suppliers [1, 2]. Drug dogs are trained to detect illegal substances [3], with a positive indication from a drug dog often used as justification by police to physically search an individual's possessions, car or person [2]. In Australia, drug dogs are used in various public settings [4, 5] and Australia had one of the highest reported incidences of drug dog encounters in a global study of people who use drugs, most commonly occurring at festivals, on public transport and in licensed premises [3].

While supporters defend their use as a valuable policing tool in combatting drug-related crime [6], the effectiveness and legality of drug dog operations has been controversial [1, 2, 7]. In 2006, the New South Wales (NSW) Ombudsman found that three-quarters of searches initiated by a drug dog failed to lead to drugs being found, and that 0.2% of charges led to a successful supply prosecution. The NSW Ombudsman concluded that indication by a drug dog was insufficient in providing police with reasonable suspicion to legally search an individual, and that drug dogs were an ineffective tool in detecting those carrying drugs for supply [2]. Very similar outcomes and recommendations were reported in a more recent NSW investigation of drug dog effectiveness, with 0.3% of searches following an indication leading to prosecution in 2011–2012 and 0.8% in 2018–2019 [8].

Since the NSW Ombudsman review [2], rhetoric supporting use of drug dogs has shifted from detecting those supplying drugs to deterring use [1]. Focusing specifically on music festivals or similar events, there is some evidence to suggest that anticipation of the presence of drug dogs may result in a small reduction in people's willingness to carry drugs into these settings [9]. However, studies have shown that most people who plan to use drugs at festivals continue to carry drugs into events, taking precautions to conceal them (including in body cavities or swallowing drugs to be retrieved, via purging once inside an event) [10–12], while others have reported taking their drugs before entering the venue (termed pre-loading) in anticipation of drug dog presence [4, 10, 13]. Concerningly, these methods carry the potential to

increase risk of overdose and other adverse events [4, 10, 11, 13]. While there are guidelines for harm reduction service provision at Australian music festivals, these vary by jurisdiction and may include medical and first-aid staff, peer-to-peer education and a range of interventions [14, 15].

Despite increasing evidence and commentary challenging the legality and effectiveness of this policing strategy, drug dogs continue to operate at events across the country. Thus, further evidence regarding behavioural responses to the expected presence of drug dogs at festivals, and the outcomes of these responses, is needed. This is particularly pertinent given the drug-related deaths of six young people attending music festivals in NSW from December 2017 to January 2019, of which at least three were linked directly to the presence of drug dogs, and the subsequent coroner's recommendation that drug dogs cease to operate at festivals [16].

We used data from the 2019 Ecstasy and Related Drug Reporting System to describe drug dog encounters and their setting at festivals, behavioural adaptations or responses taken in anticipation of their presence, and consequences of drug dog encounters at festivals amongst a sample of people who regularly use MDMA/ecstasy.

2 | METHODS

2.1 | Study design and participants

The Ecstasy and Related Drug Reporting System is an Australian illicit drug monitoring system including annual interviews with a non-representative sentinel sample of people who regularly use MDMA/ecstasy and/or other illegal stimulants. Recruited from each Australian capital city via social media and word-of-mouth, eligibility criteria were: (i) monthly or more frequent ecstasy use in the last 6 months; (ii) being 17 years or older (minimum 16 years in Western Australia); and (iii) living in the city of recruitment for 10 of the last 12 months. Data for this paper were collected April–June 2019. Interviews were conducted face-to-face following provision of written consent, lasted approximately 60 min and participants were reimbursed AUD\$40 for their time. All information disclosed was

anonymous and confidential. Full details of background and methodology can be found elsewhere [17]. Ethical approval was granted by the University of New South Wales Human Research Ethics Committee (HC15015) and jurisdictional ethics committees; findings are reported according to the STROBE checklist (Data S1, Appendix A).

2.2 | Measures

All information collected from participants was self-reported. Questions were included in the 2019 questionnaire (but have not been included in subsequent years) and built upon existing survey items used as part of a mixed methods study of drugs use at outdoor music festivals in Australia [18]. Details of items are included in Data S1, Appendix B.

2.3 | Encounters with drug dogs

Participants were asked if they had encountered drug dogs (excluding airports) in the past 12 months, with those reporting an encounter asked where these occurred. Participants who encountered drug dogs at a festival were asked questions specific to their last encounter with drug dogs at a festival. This included where at the festival the encounter occurred, whether they had expected drug dogs at the festival and if they took any action to reduce risk of detection. Those who reported taking drugs before entering the festival were asked where this occurred, and those who reported buying drugs inside festival grounds were asked how easy they were to buy (easy/very easy; difficult/very difficult). Participants were asked what the police and/or drug dogs did during the last encounter, if they were carrying drugs at that time and, if yes, whether the police found any drugs.

2.4 | Analysis

Data were analysed using SPSS (Version 16) and are reported descriptively, presented as a valid percent.

3 | RESULTS

3.1 | Sample characteristics, occurrence and setting of drug dog encounters

Of 797 who completed the Ecstasy and Related Drug Reporting System in 2019, 795 answered questions about

TABLE 1 Incidence of drug dog encounters, and the behavioural responses to the most recent encounter at a music festival

	<i>N</i> (%)
Encountered drug dogs within the last 12 months	<i>N</i> = 797
Yes	479 (60)
No	316 (40)
Encountered drug dogs at a music festival in the last 12 months	327 (69 ^a)
Did you expect dogs to be present at the festival?	<i>N</i> = 327
Yes	301 (92)
No	26 (8)
Amongst those who expected to encounter dogs	1
Did you take any precautions to reduce likelihood of detection ^b	
No, I did not take any precautions	41 (14)
Yes, concealed drugs well	172 (57)
Yes, consumed drugs prior to entering the festival	60 (20)
Yes, got someone else to carry drugs	51 (17)
Yes, bought drugs inside the grounds	39 (13)
Yes, took less easily detectable drugs	21 (7)
Yes, chose not to use illicit drugs	12 (4)
No, I did not want to use drugs at this festival	8 (3)
Amongst those who consumed drugs prior to entering festival	<i>N</i> = 59
Where did you consume the drugs	
Public setting ^c	37 (63)
Private setting ^d	22 (37)
Amongst those who chose to buy drugs inside	<i>N</i> = 39
How easy were they to obtain	
Easy/very easy	34 (87)
Difficult/very difficult	^e

^aOf those who had encountered drug dogs in the past 12 months and responded.

^bParticipants could select multiple response options.

^cPublic setting includes public transport, outside the festival entrance, or after seeing dogs were present.

^dPrivate setting includes home or friends' home.

^eValues suppressed due to small cell size ($n \leq 5$ but not 0).

drug dogs and are included here. Sixty percent ($n = 479$) of the sample had encountered drug dogs in the last 12 months, of whom 62% ($n = 298$) were male, with a median age of 21 (interquartile range 19–25). One-quarter (28%; $n = 133$) reported weekly or more frequent

TABLE 2 Setting and consequences of last encounter with drug dogs at a music festival

	N (%)
Location of music festival encounter ^a	N = 327
At festival entrance	282 (86)
Within the grounds	133 (41)
On the dance floor	12 (4)
Outside harm reduction services	7 (2)
What did the police/drug dogs do? ^a	N = 327
Nothing/did not stop me	224 (69)
Stopped me ^b	84 (26)
Bag/body search ^c	14 (4)
Confiscated my drugs, evicted or banned me from the festival	^e
Were you carrying drugs when you encountered the drug detection dogs?	N = 327
Yes ^d	200 (61)
No	127 (39)
Did police find drugs on you/your belongings?	N = 200
Yes	^e
No	195 (98)

^aParticipants could select multiple response options.

^bIncludes drug dogs sniffing the bags, car or person.

^cIncludes having one's bag searched or being bodily/interior searched in public or private.

^dFor personal use; for friends/partners; and/or for sale.

^eValues suppressed due to small cell size ($n \leq 5$ but not 0).

MDMA use. Two-thirds ($n = 327$; 69%) reported encountering drug dogs at a music festival. The majority (86%) reported encountering the drug dogs at the festival entrance but encounters within the grounds were also common (41%), albeit rarely outside harm reduction services (2%) (Table 2).

Please see Data S1, Appendix 3 for details regarding the percent of participants in each capital city who had encountered drug dogs in the 12 months preceding interview.

3.2 | Action taken in anticipation of drug dog presence

The majority (92%) of participants who encountered drug dogs at a festival reported anticipating their presence and 86% of this group reported some behavioural adaptation to reduce likelihood of detection. The most commonly reported behaviour was concealing drugs well (57%), followed by one-fifth (20%) who reported consuming drugs

prior to entering the festival and 17% who got someone else to carry their drugs (Table 1). Thirteen percent reported buying drugs within the festival grounds and 4% reported that they chose not to use illicit drugs. The majority (87%) of those who bought drugs within the festival grounds reported this to be easy or very easy.

3.3 | Consequence of encounters

Of those who had a drug dog encounter, two-thirds (69%) reported no action from police, while 26% were stopped by police, 4% had a bag/body search and few people ($n \leq 5$) reported eviction from the event, drug seizure or fine. Three-fifths (61%) of those who encountered drug dogs at a music festival were carrying drugs at the time, of which the majority were not detected (98%; 94% of those who were stopped or searched by police; Table 2).

4 | DISCUSSION

In this sample of people who regularly use ecstasy and/or other illicit stimulants, encounters with drug dogs at festivals were common (60%). Most who had an encounter anticipated the interaction, yet three-fifths carried drugs into the festival. These findings support increasing evidence challenging deterrent effects of drug dogs [9–11] and suggest that the growing 'normalisation' of drug dogs may actually be reducing efficacy [9]. Encounters were primarily at festival entrances; however, we found 41% encounters taking place within festival grounds, suggesting increasing pervasiveness of police presence.

Rather than being deterred from using drugs, participants reported a range of responses to prevent detection, some of which potentially increase harms. Concealing drugs well was the most commonly reported response, consistent with previous research [10, 11]. Further, preloading, or consuming one's drugs before entering a festival, was reported by one-fifth of those who anticipated drug dog presence. While we did not collect information regarding the quantity of drugs consumed before entering the festival, qualitative data suggests people attempt to consume a drug supply they would normally space out over a longer period of time [18]. Both methods of avoiding detection carry risks of overdose and other adverse events [10].

Buying drugs within festival grounds was reported by 13% of participants, while 17% reported asking someone else to carry their drugs into the festival, consistent with previous research [9, 10]. Both actions indicate, at best, no net impact of drug dogs on drug-related offending as supply/purchasing and possession is simply displaced

geographically and temporally. Carrying drugs for others may have serious consequences with those carrying risking supply charges if caught, while buying drugs within festival grounds may lead to adulterated or unknown drug purchasing as people attempt opportunistic and inconspicuous transactions, over informed decisions regarding known substances and dealers. These issues echo concerns raised elsewhere [9, 10] and warrant research into how people make decisions about illegal drug possession, purchases and consumption within restricted markets such as festivals.

Concerningly, drug dog presence and some associated police behaviours may compromise both police-community relations and access to harm reduction services. Fear of getting into trouble with police is a consistently reported barrier to help seeking amongst people who use drugs at music festivals [18–20]. While most encounters occurred at festival entrances, the number of encounters occurring within festival grounds may indicate increasing pervasiveness of drug dog operations. Indeed, we found that 2% of reported drug dog encounters occurred outside a harm reduction service—while these numbers are small, they raise serious concerns about the potential of drug dogs to deter access to medical attention when needed. Further, some reported police behaviours, such as being stopped and/or searched by police, carry potential to cause trauma which negatively impacts long-term police and cooperation with police [2, 16].

4.1 | Limitations

While illegal drugs use at music festivals is common [13, 21], our findings cannot be considered representative of all people who use drugs or all festival-goers. Details of festivals and level of policing or past drug dog encounters were not captured; these factors may explain differences in behaviours. Further, we did not examine responses to unanticipated drug dogs' encounters, which may result in behaviours not explored here, such as panic consumption [12]. While these data capture insights into the expectations and behavioural adaptations of festival-goers who regularly use ecstasy, we likely miss other aspects of encounters that may be better captured via qualitative or ethnographic methods. Given that this paper focuses on drug dog encounters, we did not examine the details of harm reduction services at these festivals, and this is an area that would benefit from future research, including information regarding what services people would like to be able to access. Finally, these self-report data may be limited by recall bias.

5 | CONCLUSION

Despite growing evidence challenging the effectiveness and legality of drug dog operations, and recommendations to cease operations at music festivals, our findings suggest encounters with drug dogs at music festivals remain common. While the vast majority of participants anticipated their presence at music festivals, few were deterred from consuming or carrying drugs into the festival. Given the high frequency of behavioural adaptations which may carry health, social, and legal risks and police behaviour potentiating traumatic experiences for festival-goers, our study contributes to concerns regarding the efficacy and appropriateness of this policing initiative.

ACKNOWLEDGEMENTS

The authors thank all participants who generously shared their time and expertise, and the Drug Trends Chief Investigators and broader Drug Trends team, past and present. Open access publishing facilitated by University of New South Wales, as part of the Wiley - University of New South Wales agreement via the Council of Australian University Librarians.

FUNDING INFORMATION

The Drug Trends program (including the Illicit Drug Reporting System), the National Drug and Alcohol Research Centre and the National Drug Research Institute are funded by the Australian Government Department of Health. DG is supported by the Rainbow Lodge PhD scholarship. Rachel Sutherland and Amy Peacock are supported by NHMRC fellowships (#1197241 and #1174630).

CONFLICT OF INTEREST

Rachel Sutherland has received untied educational funds from Seqirus. Amy Peacock has received untied educational grants from Seqirus and Mundipharma for study of opioid medications. Funding from these organisations has now ceased for both authors, funding was for work unrelated to this project, and the funding bodies had no role in study design, analysis and reporting. All other authors have no conflicts of interest to declare.

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SUPPORTING INFORMATION

Additional supporting information can be found online in the Supporting Information section at the end of this article.

How to cite this article: Gibbs D, Peacock A, Hughes C, Grigg J, Chandrasena U, Sutherland R. Encounters with police drug detection dogs at music festivals amongst people who regularly use ecstasy and/or other illicit stimulants in Australia. *Drug Alcohol Rev*. 2023. <https://doi.org/10.1111/dar.13601>