

getting an on-the-spot fine.

police may get involved, which can lead to you venue, do so quickly and safely. If you don't, the Security guards can't discriminate against you (e.g. refuse entry) because of your race, disability, age, sexual orientation, or gender.

Security guards can't discriminate against you within or immediately outside the venue.

However, a security guard's power to use reasonable force to remove you from the premises only applies if they are on-duty and are performing a security guard's power to use reasonable force to remove you from the premises or to control a situation; and to eject you from the premises or to control a situation; and to perform a **citizen's arrest** and detain you until police come, if you are committing a crime or have just committed a crime.

• If a security guard approaches a friend, stick with them and stay calm. If your friend gets kicked out, try to go with them to make sure they get home safely.

• If you or a friend has been asked to leave the venue, do so quickly and safely. If you don't, the police may get involved, which can lead to you getting an on-the-spot fine.

**What should you do if approached by security?**

as some venues and events require you to do so.

entry if you don't provide your name or address, you don't have to give your name or address to a security guard. However, you may be refused to enter if you don't provide your name or address.

• Issue fines or demand money, goods or services.

• Perform strip searches.

asked to leave the venue and surrounding area.

• Search you without your consent. However, nearly all music festivals require you to give consent as a condition of entry. If you do not consent, then you might be refused entry or asked to leave the venue and surrounding area.

• Perform strip searches.

• Issue fines or demand money, goods or services.

You don't have to give your name or address to a security guard. However, you may be refused entry if you don't provide your name or address.

• If a security guard approaches a friend, stick with them and stay calm. If your friend gets kicked out, try to go with them to make sure they get home safely.

• If you or a friend has been asked to leave the venue, do so quickly and safely. If you don't, the police may get involved, which can lead to you getting an on-the-spot fine.

**Security guards do not have the power to:**

**What happens if I'm caught with drugs?**

If police search you and find any illegal drugs, you must provide them with your name and address. Aside from giving your name and address, you have **the right to silence**. You do not have to answer any questions they ask. It is best to remain calm and respectful, and seek legal advice before speaking with police further.

**My rights have been violated - what next?**

If you are unhappy with your interactions with police or security, you can (and should!) make a complaint. If you're still at the festival, talk to the crowd care team about the issue - often, they can help resolve or escalate issues quickly, or support you in making a formal complaint.

**Complaints about security guards** can be made to the festival promoters, the venue, the security company, or the police (for criminal complaints e.g. harassment or assault).

**Complaints about police** can be made to the NSW Police Force Customer Assistance Unit, or to the Law Enforcement Conduct Commission (LECC), the independent oversight body for the NSW Police. If you think your rights have been violated, seek legal advice. Redfern Legal Centre run a free advice service on police misconduct. Contact them at [rlc.org.au](http://rlc.org.au), or call (02) 9698 7277.

**Your Rights with Security Guards**

Security Guards are hired to promote general safety at events. They are there on behalf of the venue or organisers to regulate the 'house rules', and keep everyone safe.

Security guards at festivals **do not have the same powers as police**. Security staff have the power to:

• **ask for your ID** to determine your age;

• **refuse entry or ask you to leave**, usually according to the rules of the event ('house rules').

• use a **'reasonable degree of force'** to eject you from the premises or to control a situation; and to perform a **citizen's arrest** and detain you until police come, if you are committing a crime or have just committed a crime.

However, a security guard's power to use reasonable force to remove you from the premises only applies if they are on-duty and are within or immediately outside the venue.

Security guards can't discriminate against you (e.g. refuse entry) because of your race, disability, age, sexual orientation, or gender.

**Your Rights @ Festivals:  
Dealing w/ Police & Security**

Security guards and the NSW Police are a fact of life at music festivals. At most events, you'll have your bag checked by security before going in, and you may be stopped and searched by the police if they suspect you're carrying drugs.

It's important to know your rights when dealing with police and security at music festivals in NSW — this resource covers all of that, as well as what to do if you think your rights have been violated.

This resource was developed by NUAA, a community organisation that advocates for the health and rights of people who use drugs. The information in this pamphlet is not legal advice. Contact NUAA for further info or assistance.



## Your Rights with Police Searches

Legally, the police can stop, search and detain anyone if they “reasonably suspect” that person is carrying drugs or anything dangerous or unlawful (e.g. a weapon). They don’t need a search warrant – the only basis required for a search is a **reasonable suspicion** held by the police officer. You have the right to ask a police officer what grounds they’re searching you on.

To be “reasonable”, there must be a factual basis for the suspicion. Police will consider things like the time and location, your behaviour (e.g. if you seem nervous or under the influence of drugs), and, if you are known to police, any relevant criminal history. **Simply being at a music festival is not enough to form a ‘reasonable suspicion’ you are carrying drugs.**

At some large festivals and multi-day events, the police can obtain a warrant that covers the festival grounds and surrounding areas. This warrant could give them the right to search people, cars, tents, bags and other property at the festival without having to form a “reasonable suspicion”.

**You have the right to bodily integrity and privacy at all times – including during police search and sniffer dog operations.**

**Searches** | When conducting a search, a police officer may: search/examine anything in your possession (e.g. your bag); ask you to empty your pockets and remove outer garments; ask you to open your mouth and shake your hair; and run their hands over your outer clothing.

If possible, have a friend film the search from a distance. This is 100% legal and police can’t stop anyone from filming unless it is hindering or obstructing their job.

**Strip Search** | If the police require you to remove your clothes, other than just outer clothing, you are being strip searched. If police ask you to pull on your outer clothing so that they can look down your top or pants, you are being strip searched.

In a strip search, you will have to take off some or all your clothes in front of a police officer. However, you have the right for your privacy and dignity to be respected during the search. This means no one should be present during your search except those needed to conduct it.

**Police must conduct the search in the least invasive way possible. Police should not touch you during the search, and at no time should your body cavities be searched (this includes asking you to ‘squat and cough’).**

**Sniffer Dogs** | Police use sniffer dogs in order to form the basis of a legal police search.

If a sniffer dog sits next to you, it can, along with other factors, give police reasonable grounds to suspect you’re carrying drugs. If they form this suspicion, the police are legally allowed to search you. If you avoid walking near the sniffer dogs or are otherwise acting nervous around police operations, police could use that behaviour as a factor in forming their “reasonable suspicion” that you are carrying drugs.

**Consenting to Searches** | The police don’t require reasonable suspicion if they ask to search you and you say yes (or otherwise consent).

**You should make a clear statement that you do not consent, and ask for that statement recorded in the police officer’s official notes.**

Police may search you regardless of your consent. However, stating that you do not consent may help if you later make a complaint or end up in court. It’s best to remain calm and comply with any police searches or directions to avoid potential criminal charges for resisting or hindering a police officer.

**Complying does not equal consent.**

To conduct a **strip search**, the police must believe on reasonable grounds that a strip search is necessary, and that the seriousness and urgency of the circumstances require it. If police wish to conduct a strip search, they must:

- Provide evidence they’re a police officer, and tell you their name and place of duty;
- Tell you why it is necessary to conduct the search, and say whether you will be required to remove clothing during the search;
- Provide a private area for the search to be conducted (e.g. a private tent), and have an officer of the same sex conduct the search.

**You have the right to request that these conditions are met before you are searched – if they are not, then the search may be unlawful. You have the right to make a complaint if these conditions aren’t met, if your privacy has been violated, or if you are made to feel intimidated or harassed during or after a search.**

Police should only visually search your genitals or breasts if it is necessary to search that part of the body. **Police are not allowed to question you during the strip search.** If you are under 18, you have the right to have a support person with you, such as a parent, friend or guardian, while you are strip searched.