

Media Release

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Class action filed against the state over police strip searches at NSW music festivals

A class action has been filed by Redfern Legal Centre and Slater and Gordon Lawyers against the state of NSW on behalf of people who have been invasively and unlawfully searched by police at music festivals over the past six years.

The statement of claim, filed in the NSW Supreme Court, alleges that police carried out unlawful acts including assault, battery and false imprisonment against festivalgoers while searching them for illicit substances.

Group members also allege that some people who were searched – including minors – were directed by police to lift or remove items of clothing, lift their breasts or genitals, or strip naked and squat and cough so officers could visually inspect body cavities. Women were ordered to remove sanitary products so they too could be inspected.

Group members are seeking damages, aggravated damages and exemplary damages from the state. This could be in the order of tens of thousands of dollars for those subjected to particularly invasive or distressing searches.

Exemplary damages are being sought to reflect an appropriate condemnation of police conduct, and to bring home to force command that “police officers must be properly trained and disciplined to ensure abuses of this kind do not occur”, the statement of claim explains.

Lead plaintiff Raya Meredith was strip searched by police at the 2018 Splendour in the Grass festival, an ordeal that lasted about 30 minutes.

The invasive search took place in a temporary structure that was open and lacked privacy. During the course of the search being conducted by a female officer, and while she was still undressed, a male police officer entered the room. No drugs were found.

Ms Meredith said she had agreed to lead the class action because “what police did to me was wrong.

“There are laws in place regarding when police can search a person, and how those searches are to be conducted, but they didn’t follow them with me,” she said.

“I don’t want what I went through to happen to anyone else. I’ve heard all sorts of stories about minors being searched and people being inappropriately searched – made to bend over and cough and things like that. These practices are unlawful, they need to stop and those responsible for allowing it to happen should be held to account.”

Samantha Lee, senior police accountability solicitor at Redfern Legal Centre, said: “Our investigations show that invasive and unlawful police searches at NSW festivals have become routine, resulting in very few charges, but leaving thousands of young people and minors humiliated and severely traumatised.

“With this class action, Redfern Legal Centre and Slater and Gordon are seeking compensation and redress for the significant numbers of people believed to have been unlawfully searched,” she said.

“We also look to the courts to make findings that will ensure this traumatising police practice becomes the exception not the rule.

“Time has shown that police policy changes and internal education programs will not prevent the overuse of this blunt and harmful policing tool. Ultimately, we need legislative change to ensure safer policing and real change. Until that time, we are looking to the courts to clarify in what circumstances strip searches are lawful.”

Ms Lee described group members as “voices of change” who should be commended for their bravery.

Slater and Gordon Class Actions Associate Meg Lessing said hundreds of people had already registered for the group proceeding since the firm and legal centre announced last year that a class action was being investigated against police in relation to unlawful searches at Splendour in the Grass music festivals dating back to 2016.

“We were also approached by people who reported having been invasively searched by police at other music festivals across NSW,” she said.

“Following further investigations, we have subsequently been able to expand the class to include people who were unlawfully searched by police at all NSW festivals, which shows how widespread these practices are.”

“Strip searches are extraordinarily invasive, and a power that police should only use in serious and urgent circumstances. That seems to have been forgotten here by NSW Police. There have, at times, been high numbers of strip searches conducted by police at music festivals – at one festival increasing from dozens of strip searches one year to well over a hundred the next,” she said.

The NSW Law Enforcement Conduct Commission (LECC) released reports in 2020 detailing widespread unlawful search practices by NSW Police. Police and the state government are yet to provide a public response to those reports.

The LECC investigated the 2018 Splendour in the Grass festival specifically, and made several findings, including that NSW Police performed an unlawful strip search of a 16-year-old female, failed to train officers to uphold the laws that govern police searches, and failed to ensure the privacy and dignity of people during searches.

Anyone searched by NSW Police at music festivals over the past six years – including those asked to lift or remove clothing during a search, or who had police peer into their trousers or look under their tops – is being urged to register for the class action at **www.slatergordon.com.au/stripsearches**. Registration is free and confidential.

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Lead plaintiff Raya Meredith's story

Raya Meredith attended the Splendour in the Grass festival on 20 July 2018 at Byron Bay when she was invasively strip searched by police near the main entrance.

The then 27-year-old says as she approached the festival grounds, she was stopped by a policeman handling a sniffer dog, who said that the dog had detected "something" on her.

She was directed by the officer to a makeshift search area where it is alleged there was inadequate privacy and police were regularly entering and exiting. Ms Meredith says she was ordered to surrender her handbag so it could be inspected. The bag was then taken out of her sight.

Although she advised the policewoman assigned to search her that she was not carrying any drugs, she claims her body was patted down by the officer before she was directed to remove her shoes and clothing.

Ms Meredith claims that during the strip search she was ordered to lift her breasts and bend over, and to show the officer her genitals to prove that the only item inserted in her body was a tampon.

She says that while she was naked from the waist down, a male officer returned with her handbag to the area where she was being searched. He advised that nothing had been found in the handbag.

After she got dressed, Ms Meredith says she was ordered to produce her driver's licence so her details could be documented. She was then allowed to reunite with her group of friends.

Ms Meredith says she was detained by police for about 30 minutes and no drugs were found.

"The whole experience was really degrading, scary and confusing," she said.

"It took away all the fun that had been building up to that weekend, when all I wanted to do was go and listen to some live music, which is a big part of my life.

"Since then, every time I approach security to enter a festival or gig, I get scared and wonder if it's going to happen to me all over again."

Ms Meredith said she had agreed to lead the class action because: "what police did to me was wrong.

"There are laws in place regarding when police can search a person, and how those searches are to be conducted, but they didn't follow them with me," she said.

"I don't want what I went through to happen to anyone else. I've heard all sorts of stories about minors being searched and people being inappropriately searched – made to bend over and cough and things like that. These practices are unlawful, they need to stop and those responsible for allowing it to happen should be held to account."

Ms Meredith will not be available for media interviews