

Parliament of Victoria

Pill testing: recent developments

Annie Wright

No. 2 | February, 2024

Research Note

Parliamentary Library & Information Service

Table of Contents

Introduction	2
1 What is pill testing?	2
<i>Harm minimisation</i>	3
2 Arguments for and against pill testing	3
<i>Main arguments in favour of pill testing</i>	3
<i>Main arguments against pill testing</i>	3
3 Attitudes towards pill testing	4
4 Victorian context	6
<i>Inquiry into drug law reform</i>	6
<i>Coroner's reports</i>	6
<i>Parliamentary Budget Office costing</i>	7
<i>Previous private member's bills</i>	8
<i>Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2023</i>	8
5 Stakeholder views	9
<i>Victorian Government</i>	9
<i>Opposition</i>	10
<i>Crossbench</i>	10
<i>Medical groups</i>	10
<i>Legal groups</i>	10
<i>Community organisations</i>	11
6 Other jurisdictions	11
<i>ACT trial</i>	11
<i>New Zealand</i>	13
<i>Queensland</i>	14
Reference List	15

Introduction

Whether or not Victoria should introduce ‘pill testing’ or ‘drug testing’ remains contentious. Despite support from medical and harm reduction groups and recommendations from four coronial inquiries, both major political parties remain opposed to introducing a pill testing scheme. Media coverage of deaths and overdoses linked to illegal drug use, particularly at summer music festivals, has kept the topic in the public eye. These debates have focused on Victoria’s approach to drug policy, law enforcement, community safety and harm minimisation.¹

The Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2023 is the fifth Bill proposing pill testing to be introduced to the Victorian Parliament since December 2016. This latest Bill, jointly sponsored by the Animal Justice Party, the Victorian Greens and Legalise Cannabis Victoria, would establish both mobile and fixed-site pill testing facilities. These facilities would not only test illegal drugs, such as MDMA, but also provide education on harm minimisation to participants.

This research note provides a brief overview of the arguments for and against pill testing, stakeholder responses to the proposed trial and an update on pill testing in other jurisdictions. More information on this issue, including more in-depth background and a jurisdictional comparison, can be found in [this 2019 publication](#) from the Parliamentary Library & Information Service.

1 | What is pill testing?

One definition of ‘pill testing’ is a service that:

... enables a potential consumer of unregulated drugs the time to pause, test the product which they have possession, and discuss the results with multi-disciplinary and non-judgmental health professionals, prior to ingestion.²

In Australia, the practice is most often referred to as ‘pill testing’. In other jurisdictions, especially overseas, it is referred to as ‘drug testing’ or ‘drug checking’ as the practice refers to the testing of not only pills but all illegal drugs.³

In general, a participant will provide a small sample of a drug they are planning to consume to a service to test to see how pure the substance is. This sample is then analysed and the composition of the pill reported to the participant.⁴ The service will never confirm that a drug is 100 per cent safe to consume.⁵

Various jurisdictions have established different programs for pill testing. While some have set up permanent centres open during designated hours, others have mobile facilities that can be deployed to events, like music festivals.⁶

There are several ways to test substances. One option is Fourier-transform infrared spectroscopy (FTIR) where an infrared light is shined on a sample and a measurement is taken of how the light is absorbed. Different drugs and cutting agents have different unique light absorption patterns which are used for identification.⁷ The process usually takes around 10 minutes.

¹ M. Southey et. al. (2020) ‘Patterns of ecstasy use amongst live music event attendees and their opinions on pill testing: a cross sectional study’, *Substance Abuse Treatment, Prevention, and Policy*, 15(55), p. 11.

² D. Caldicott et. al., (2023) ‘A step change model analysis of the establishment of pill testing in one Australian jurisdiction’, *Harm Reduction Journal*, 20(172), pp. 1-2.

³ *ibid.*

⁴ C. Puljević et. al. (date unknown) ‘Pill Testing: the facts’, University of Queensland website.

⁵ Pill Testing Australia (2021) ‘Frequently Asked Questions: Will you let me know if it will be ‘safe’ to use the pills/drugs I bring for testing?’, Pill Testing Australia website.

⁶ A. Olsen et. al. (2023) *CanTEST Health and Drug Checking Service Program Evaluation: Final Report*, Canberra, Australian National University.

⁷ Pill Testing Australia (2021) ‘Our Equipment’, Pill Testing Australia website.

Another option is using an Ultra-Performance Liquid Chromatography-Photodiode Array (UPLC-PDA) analysis. This method uses liquid chromatography to separate drug components, which are then detected by ultraviolet visible spectroscopy. Results are then compared to a drug library.⁸

Harm minimisation

Pill testing is a harm minimisation policy approach. Harm minimisation can be defined as 'politics, programs and practices that aim to reduce the harms associated with the use of psychoactive drugs in people unable or unwilling to stop'.⁹ Australia has adopted a harm minimisation approach to drugs, which is at the fore of the National Drug Strategy. The harm minimisation strategy has three pillars: demand reduction, supply reduction and harm reduction.¹⁰

2 | Arguments for and against pill testing

Main arguments in favour of pill testing

Arguments in favour of pill testing mostly relate to the use of harm minimisation to try to reduce the harms of illegal drugs. Advocates for pill testing argue that it can:

- reduce drug-related harm;
- provide at-risk populations with information and education;
- change behaviours around drug taking;
- monitor the market for new and dangerous substances and has been shown to help change the black market of drugs containing harmful substances;
- allow for research and data collection on the illegal drug market.¹¹

Main arguments against pill testing

Arguments against pill testing mostly relate to the morality and legality of a practice that many see as 'encouraging' illegal drug use. Opponents of pill testing argue that:

- there is no such thing as safe drug use and pill testing normalises drug use;
- there is limited evidence that it does work;
- it can provide a false sense of security;
- the service is legally difficult;
- the service is morally wrong;
- testing is flawed.¹²

⁸ Olsen et. al. (2023) op. cit., pp. 8, 16.

⁹ NCETA (date unknown) 'Harm Minimisation', Flinders University website.

¹⁰ Department of Health (2017) *National Drug Strategy 2017-2026*, Canberra, DoH, p. 6.

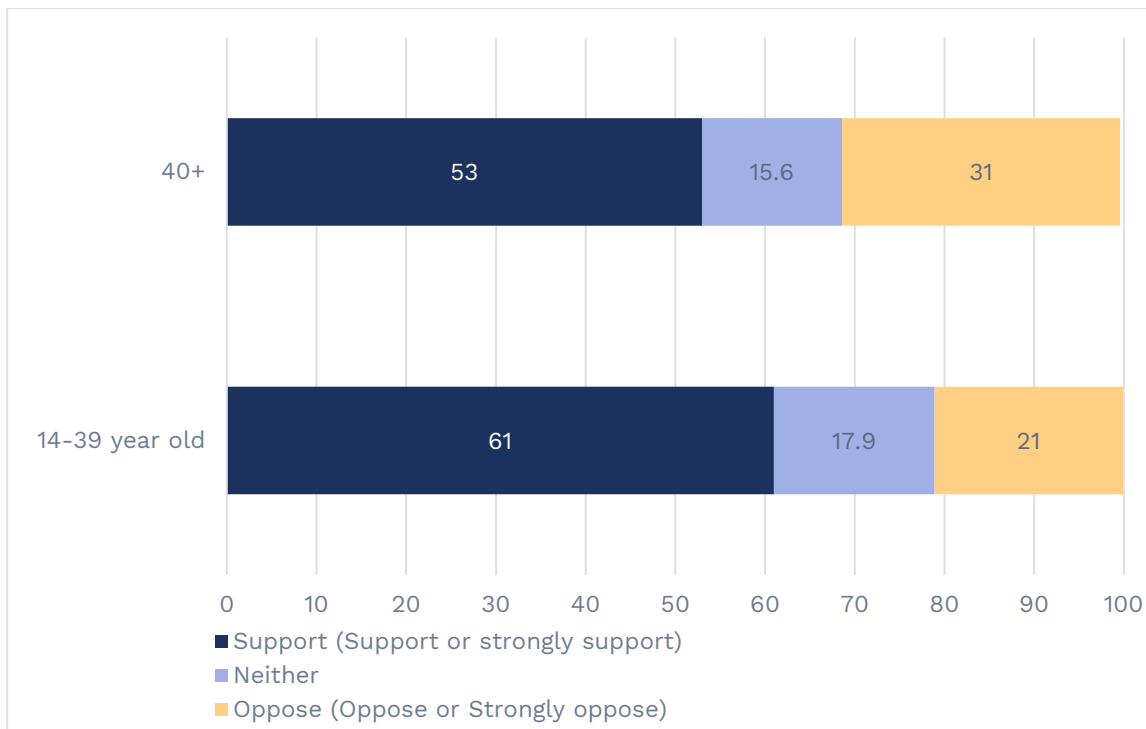
¹¹ K. Sommerville et. al. (2022) 'Pill testing policy: A comparative analysis using the Advocacy Coalition Framework', *Drug and Alcohol Review*, 41, p. 275; A. Ritter (2014) 'Six reasons Australia should pilot 'pill testing' party drugs', *The Conversation*, 12 January; Alcohol and Drug Foundation (2023) 'Pill testing in Australia', ADF website.

¹² J. Schneider et. al. (2016) 'Pill testing at music festivals: can we do more harm?', *Internal Medicine Journal*, 46(11), pp. 1249-1251; I. Scott & R. Scott (2020) 'Pill testing at music festivals: is it evidence-based harm reduction?', *Internal Medicine Journal*, 50, pp. 395-402.

3 | Attitudes towards pill testing

Victorians and Australians are generally supportive of pill testing programs. In 2019, for the first time, the National Drug Strategy Household Survey asked participants whether they support allowing potential drug users to test their pills/drugs.¹³ The survey found that 57 per cent of Australians support pill testing and 27 per cent oppose it.¹⁴

Figure 1: 2019 National Drug Strategy Household Survey respondents views on allowing potential drug users to test their pills/drugs at designated sites (%)¹⁵



The Australian Election Study surveyed participants about their attitudes towards pill testing after both the 2019 and 2022 federal elections. Participants were asked:

Do you strongly agree, agree, disagree or strongly disagree with the following statement? Pill testing should be allowed at music festivals.

In 2019, 63 per cent of Australians supported pill testing and 21 per cent opposed it.¹⁶ In 2022, this increased to 68 per cent per cent supporting and 15 per cent opposed.¹⁷

Victorian respondents to the 2022 survey were also largely in favour pill testing. In all age groups, more than 50 per cent agreed or strongly agreed with the question.¹⁸

¹³ The National Drug Strategy Household Survey 2022-2023 has been completed. Result should be released in 2024.

¹⁴ Australian Institute of Health and Welfare (2020) *National Drug Strategy Household Survey 2019*, Canberra, AIHW, p. 81.

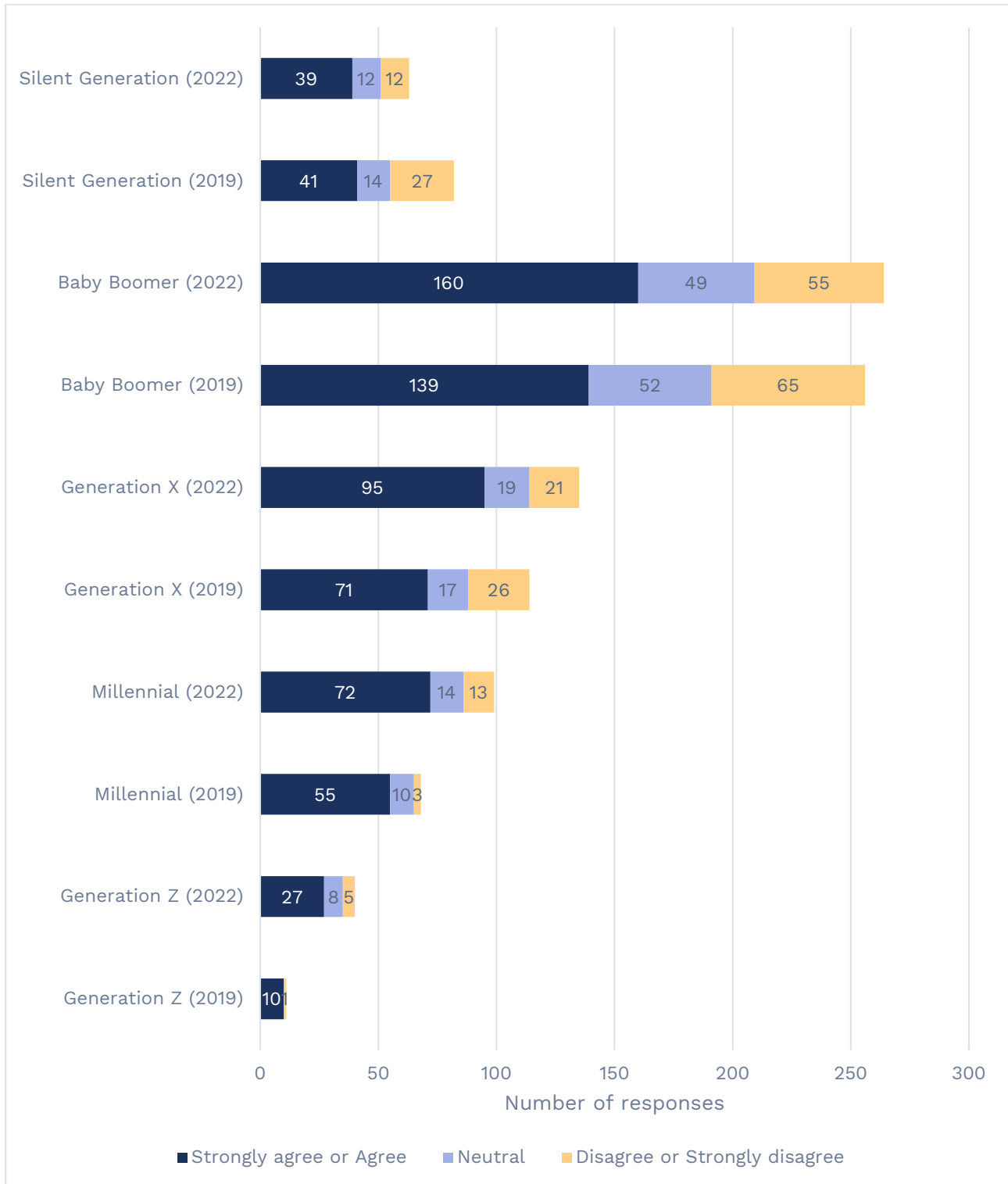
¹⁵ *ibid.*

¹⁶ I. McAllister & T. Makkai (2021) ‘The effect of public opinion and politics on attitudes towards pill testing: Results from the 2019 Australian Election Study’, *Drug and Alcohol Review*, 40(4), p. 524.

¹⁷ I. McAllister et. al. (2022). *Australian Election Study 2022*, doi:10.26193/W3U2S3, ADA Dataverse, V3.

¹⁸ *ibid.*

Figure 2: Responses to the Australian Election Study question on pill testing, per generation¹⁹



¹⁹ I. McAllister et. al. (2022) op. cit.

Individual ages were provided for each AES response. For this paper, the responses have been grouped by generation as per the [ABS definition](#). The purpose of grouping the responses by generation is to provide a familiar set of ages to assist readers. Given that many members of Generation Z are still not of voting age, and are underrepresented in the responses, interpreting this data should be undertaken with caution.

4 | Victorian context

Inquiry into drug law reform

In the 2018 inquiry into drug law reform conducted by the parliamentary Law Reform, Road and Community Safety Committee, pill testing emerged as the second-most discussed topic among the submissions and during public hearings.²⁰

In the final report, the committee made two recommendations in relation to pill testing. Recommendation 48 stated that the Government should invest in an onsite drug testing unit to be made available at music festivals. This unit would be used in the event of a suspected overdose but would not be available for use by the public. The unit would assist health services with treatment of a sick person and assist with early warnings.²¹

Recommendation 49 stated that the Government should refer this issue to an Advisory Council on Drugs Policy, the establishment of which was a separate recommendation of the committee. The Council could then, if it was deemed appropriate, develop guidelines for a pill testing trial. The Government has not established an Advisory Council on Drugs Policy to date.²²

In response to the committee's report, the Government stated that it 'maintains its clear position against changes such as pill testing and decriminalisation of drugs'.²³

Coroner's reports

Four Victorian coronial inquiries have recommended Victoria introduce a drug checking service and an early drug warning system.

In April 2021, Coroner Paresa Spanos recommended that the Department of Health 'urgently' establish a drug checking and drug early warning service.²⁴ This call followed an investigation into the deaths of five young men in separate incidents between July 2016 and July 2017. All of these incidents were linked to MDMA and/or magic mushrooms.²⁵

In April 2022, Coroner Sarah Gerbert stated in relation to a death which occurred 28 June 2020:²⁶

59. I am satisfied that a drug checking service and drug early warning system are necessary elements of any strategy to reduce these harms.
60. I therefore recommend pursuant to section 72(2) of the Act:
That the Department of Health, as the appropriate arm of the Victorian Government, implements a drug checking service in the State of Victoria as a matter of urgency, to reduce the number of preventable deaths (and nonfatal harms) associated with the use of drugs obtained from unregulated drug markets.

Coroner Gerbert handed down a subsequent finding on 20 May 2022 where she reiterated her previous recommendation.²⁷

²⁰ Law Reform, Road and Community Safety Committee (2018) *Inquiry into Drug Law Reform*, final report, Melbourne, The Committee, March, p. xxxvii.

²¹ *ibid.*

²² *ibid.*

²³ Victorian Government (2018) *Response to the Parliamentary Inquiry into Drug Law Reform*, Melbourne, Department of Health and Human Services, August, p. 5.

²⁴ Coroners Court of Victoria (2021) *Coroner calls for urgent drug testing services in Victoria*, media release, 7 April.

²⁵ *ibid.*

²⁶ S. Gebert (2022a) *Finding into death without inquest*, Melbourne, Coroners Court of Victoria, p. 11.

²⁷ S. Gebert (2022b) *Finding into death without inquest*, Melbourne, Coroners Court of Victoria, p. 9.

In September 2023, Coroner John Cain recommended that:

The Secretary of the Victorian Department of Health, as the appropriate arm of the Victorian Government, implement a drug checking service in the State of Victoria to minimise the risks and the number of preventable deaths associated with the use of drugs obtained from unregulated drug markets.²⁸

Parliamentary Budget Office costing

The Parliamentary Budget Office (PBO) released a costing for a two-year pill testing trial in January 2024.²⁹ The advice, requested by Dr Samantha Ratnam of the Victorian Greens, found that a two-year trial of a fixed-site pill testing facility and a mobile pill testing facility would cost the state \$3.7 million. This was less than the previous advice completed by the PBO for Dr Ratnam in 2019, which found that a trial would cost \$3.8 million.³⁰

The PBO's costing stated that during the two-year trial:

- \$3.2 million would be spent on operational expenses, including staffing costs, machine leasing costs at the fixed-site facility and machine maintenance costs for the mobile testing service;
- there would be an increase in assets of \$0.5 million due to the purchase of mobile testing machines.³¹

This costing is dependent on several factors, including:

- the uptake of pill testing;
- the number of festivals requiring the service;
- operating hours of the fixed site;
- whether testing machines were purchased or leased;
- the number of testing machines needed and their testing capabilities.³²

²⁸ J. Cain (2023) *Finding into death without inquest*, Melbourne, Coroners Court of Victoria, p. 9; Coroners Court of Victoria (2023) *Highly potent MDMA pill testing prompts call for drug testing services*, media release, 6 September.

²⁹ Parliamentary Budget Office (2024) *Policy Costing: Pill Testing Pilot*, Melbourne, PBO.

³⁰ Parliamentary Budget Office (2019) *Policy Costing: Pill Testing Pilot*, Melbourne, PBO.

³¹ PBO (2024) op. cit.

³² *ibid.*

Previous private member's bills

Date	Bill name	Proponent	Outcome
7 December 2016 ³³	Drugs, Poisons and Controlled Substances Amendment (Pilot of Safe Consumption Room and Pill Testing) Bill 2016	Fiona Patten (Australian Sex Party)	Withdrawn by leave on 8 February 2017
29 November 2017 ³⁴	Drugs, Poisons and Controlled Substances Amendment (Lab-grade Pill Testing Pilot) Bill 2017	Nina Springle (Victorian Greens)	Did not proceed to second reading
21 February 2019 ³⁵	Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2019	Fiona Patten (Reason Party) and Samantha Ratnam (Victorian Greens)	Withdrawn 31 October 2019
13 November 2019 ³⁶	Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2019 (reintroduced)	Fiona Patten (Reason Party) and Samantha Ratnam (Victorian Greens)	Lapsed on the expiration of Parliament

Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2023

The Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2023 was introduced into the Legislative Council on 30 November 2023 and second read on 7 February 2024. This becomes the fifth Bill introduced into the Legislative Council in relation to establishing a pill testing trial. It was introduced by Aiv Puglielli from the Victorian Greens, Rachel Payne from Legalise Cannabis Victoria and Georgie Purcell from the Animal Justice Party.³⁷

The Bill will amend the *Drugs, Poisons and Controlled Substances Act 1981* to allow the Secretary of the Department of Health to issue two two-year drug checking licences, one for a mobile service and another for a fixed-location service.³⁸ The Bill introduces the governance and management protocols for the services.³⁹

³³ F. Patten (2016) 'Introduction and First Reading: Drugs, Poisons and Controlled Substances Amendment (Pilot of Safe Consumption Room and Pill Testing) Bill 2016', *Debates*, Victoria, Legislative Council, p. 6501.

³⁴ N. Springle (2016) 'Introduction and First Reading: Drugs, Poisons and Controlled Substances Amendment (Lab-grade Pill testing Pilot) Bill 2017', *Debates*, Victoria, Legislative Council, p. 6487.

³⁵ S. Ratnam (2017) 'Introduction and First Reading: Drugs, Poisons and Controlled Substances Amendment (Pill testing Pilot for Drug harm Reduction) Bill 2019', *Debates*, Victoria, Legislative Council, p. 371.

³⁶ S. Ratnam (2019) 'Second reading: Drugs, Poisons and Controlled Substances Amendment (Pill testing Pilot for Drug harm Reduction) Bill 2019', *Debates*, Victoria, Legislative Council, p. 3973.

³⁷ *Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2023*

³⁸ *ibid.*, proposed s. 55Y.

³⁹ *ibid.*, cl. 8.

The services will analyse drug samples and provide information to participants on the substances' composition, potency and health risks. The services will also allow for the correct disposal of substances.⁴⁰

Services transporting substances for further testing and participants providing samples to the services will be able to do so without legal consequences.⁴¹ Limited liability exemptions and protections will be given to service employees, clients and the licensee to safeguard them from legal consequences.⁴² New section 55ZU emphasises that police may exercise discretion in not charging a person who is found in possession of illegal drugs if that person is travelling to or from a pill testing facility.⁴³

The Bill allows for the Governor in Council to set a minimum age of entry to the drug checking service, which if not prescribed is 18 years.⁴⁴ Services will be required to report dangerous substances to health authorities and police.

Mr. Puglielli said during the second reading speech:

I'm not here to claim that pill testing will end all drug harm or that there won't be any more overdoses at festivals or clubs, but I am saying that we need to do what we can to reduce harm, make this service available, so that people have options. So they can test their drugs, they can make informed decisions, and change their behaviour to reduce the risks of harm.⁴⁵

The content of this Bill is largely similar to the [Drugs, Poisons and Controlled Substances Amendment \(Pill Testing Pilot for Drug Harm Reduction\) Bill 2019](#). See [this link](#) for a Bill Brief on the 2019 Bill which includes more detail on the proposed scheme.

5 | Stakeholder views

Victorian Government

Former Victorian Premier Daniel Andrews maintained his opposition to pill testing up until his resignation in September 2023. In January 2023, he said 'the government is not introducing a pill-testing trial' and 'I don't think you can take these drugs at any level and be safe'.⁴⁶ He believed that pill testing could give people a false sense of safety.

In 2019, while Acting Premier, Jacinta Allan said 'Victoria Police gives very firm advice on the matter of pill testing to the Victorian Government about the false and potentially fatal outcomes that can come as a result of a pill testing regime'.⁴⁷ By January 2024, now Premier, Ms Allan signalled that she was more open to a trial. The Premier told *ABC Melbourne Radio* that she was 'seeking some further advice from the health department about what we're seeing over this summer period'.⁴⁸ In January 2024, Deputy Premier Ben Carroll urged people to not 'take drugs in the first place' and stated that the Government's stance was very clear—that 'we do not believe that [pill testing] is the measure that is needed right now'.⁴⁹

⁴⁰ *ibid.*, proposed s. 55ZK.

⁴¹ *ibid.*, proposed s. 55ZR, proposed 55ZS-T.

⁴² *ibid.*, proposed s. 55ZV.

⁴³ *ibid.*, proposed s. 55ZU.

⁴⁴ *ibid.*, cl. 4 & proposed s. 55ZY.

⁴⁵ A. Puglielli (2024) 'Second reading: Drugs, Poisons and controlled substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2023', *Debates*, Victoria, Legislative Council, 7 February, p. 93.

⁴⁶ H. Hales (2023) 'Daniel Andrews confirms there's no plan to change Victoria's pill testing laws despite Qld shift', *The Australian*, 28 February.

⁴⁷ B. Preiss & A. Carey (2019) 'Government digs in on opposition to pill testing trial', *The Age*, 21 January.

⁴⁸ N. Woodall (2024) 'How does Victoria's stance on pill testing shape up against the rest of Australia? Here's what you need to know', *ABC News*, 16 January.

⁴⁹ *ibid.*

Opposition

The Liberal-National coalition has maintained its opposition to pill testing. Shadow Minister for Police Brad Battin told *Sky News* in January 2024, 'It's ok to just say no'.⁵⁰ Leader of the Opposition John Pesutto has stated that pill testing will give young people a false sense of security when taking illegal drugs: 'The health and safety of young Victorians needs to come first, and there are ways to promote that health and safety without the risks that surround pill testing'.⁵¹

Crossbench

Legalise Cannabis Victoria, the Animal Justice Party and the Victorian Greens are all supportive of pill testing and have co-sponsored the current Bill. The Victorian Greens have been pushing the government to introduce a pill testing trial for several years, and the party's drug harm reduction spokesperson, Aiv Puglielli, has called for the government to show 'courage' and 'listen to the experts and save lives, rather than play to the politics of fear'.⁵²

Georgie Purcell, of the Animal Justice Party, said that pill testing 'doesn't encourage drug use, it simply makes it safer for those who do'.⁵³

Medical groups

Most major medical groups have policies supporting pill testing. The Australian Medical Association (AMA) formally backed supervised pill testing trials in 2019.⁵⁴ In its statement, the AMA acknowledged that 'no pill test can tell an individual how a drug will affect them' and that they are 'not condoning illegal drug use'. However, the association said that it 'understood the realities. Young people will experiment with drugs. We must use all available and recognised means to reduce the chance of harms'.⁵⁵

In January 2024, the chair of RACGP's Specific Interests Addiction Medicine group, Dr Hester Wilson, said that the introduction of pill testing is a 'no brainer'. She told *newsGP* that pill testing 'actually does change people's behaviour, and therefore it makes it safer'.⁵⁶ She was critical of the increased focus on policing at music festivals, including the use of sniffer dogs, and the 'just say no' approach.

There are some in the medical field who remain opposed to the concept of pill testing. Two toxicologists told *newsGP* in 2019 that they were not convinced by the technology.⁵⁷

Legal groups

Legal groups have also come out in favour of pill testing. The Australian Lawyers Alliance (ALA) has called on the Victorian Government to introduce pill testing. The ALA's criminal justice spokesperson, Greg Barns SC, said:

Human lives matter more than failed prohibitionist drug policies. Simply exhorting young people to 'say no to drugs' does not work and the government needs to listen to health experts on this issue.⁵⁸

⁵⁰ (2024) "It's ok to say no": Vic Shadow Police Minister slams pill testing debate', *Sky News*, 20 January.

⁵¹ R. Eddie & B. Carmody (2024) 'Premier 'seeking further advice' on pill testing after overdoses at festivals', *The Age*, 16 January.

⁵² R. Eddie (2024) 'How much a pill-testing trial would cost Victoria', *The Age*, 5 February.

⁵³ *ibid.*

⁵⁴ AMA (2019) *AMA formally backs supervised pill testing trials*, media release, 22 March.

⁵⁵ *ibid.*

⁵⁶ J. Attwooll (2024) 'Pill testing calls follow multiple overdoses at Melbourne festival', *newsGP*, 10 January.

⁵⁷ A. Lyons (2019) 'It's just assumed it's 100%': The toxicology of pill testing', *newsGP*, 29 April.

⁵⁸ Australian Lawyers Alliance (2024) *Lawyers Alliance calls on VIC Government to support drug checking services*, media release, 8 January.

Liberty Victoria have also come out in favour of pill testing ‘as a crucial measure to protect the human rights of festival attendees’.⁵⁹ They argue:

While the use of certain substances may be prohibited by law, it is an undeniable reality that people continue to use drugs at festivals. By providing access to pill testing facilities, we can ensure that individuals who choose to use these substances are informed about the content and potential risks of the drugs they are taking.⁶⁰

They acknowledge that there are concerns over the message that pill testing sends and the complexity of the issue.

Community organisations

In October 2023, the Victorian Alcohol and Drug Association (VAADA), in conjunction with RMIT University, released a statement which was supported by 77 community and health organisations. This letter called on the Victorian Government to introduce pill testing in the state. VAADA program manager Scott Drummond acknowledged that pill testing is no ‘panacea’ but that it’s a ‘proven harm reduction initiative’.⁶¹

The campaign has been titled ‘Check. Warn. Reform.’.⁶² It outlines six principles for a pill testing program: harm reduction focused; inclusive and accessible; accurate, comprehensive and rapid; safe and anonymous; peer-led; and evaluated. It also responds to criticisms of pill testing.

6 | Other jurisdictions

ACT trial

The first Australian pill testing trial was held at Groovin’ the Moo music festival in Canberra in 2018.⁶³ A second trial was held at the same festival in 2019, which was independently evaluated by Australian National University (ANU) with ACT Health funding.⁶⁴ Although there was some disruption to further trials due to increased insurance premiums for testing sites at music festivals, in 2020 ACT Health released ‘The Festivals Pill Testing Policy’.⁶⁵

The ACT Government announced a pilot of a fixed-site health and drug checking service to run from July 2022 to January 2023.⁶⁶ Due to the success of the trial, the Government has committed funding to the service until December 2024.⁶⁷ ANU has released three reports into these trials: one on the mobile sites and two on the fixed site.⁶⁸

⁵⁹ Liberty Victoria (2024) *Pill testing facilities at festivals*, media release, 11 January.

⁶⁰ *ibid.*

⁶¹ Woodall (2024) *op. cit.*

⁶² Victorian Alcohol and Drug Association (date unknown), ‘Drug Checking and Early Warning Systems: Knowing the harms can prevent the harms’, VAADA website.

⁶³ J. Healy & C. Sibthorpe (2018) ‘Groovin the Moo pill tests find lethal stimulant, pain and toothpaste in drugs’, *ABC News*, 30 April; S. Byrne et. al. (2018) ‘Australia’s First Official Illicit Pill Testing at Canberra’s Groovin’ the Moo Music Festival: Legal Hurdles and Future Prospects’, *Journal of Law and Medicine*, 26(1), p. 54–60.

⁶⁴ L. Martin (2019) ‘Pill testing at Groovin the Moo festival potentially saves seven lives, organisers say’, *The Guardian*, 29 April; A. Olsen et. al. (2019) *ACT Pill Testing Trial 2019: Program evaluation*, Canberra: Australian National University.

⁶⁵ T. Roy (2023) ‘Canberra’s Groovin the Moo music festival will again be without pill-testing, as insurance becomes 22 times more expensive’, *ABC News*, 14 April; ACT Health (2020) *The Festivals Pill Testing Policy: A Guide for Even Organisers to Implement Harm Minimisation*, ACT Government, Canberra.

⁶⁶ R. Stephen-Smith (2022) *Australia’s first fixed-site health and drug checking service opens*, media release, 19 July.

⁶⁷ ACT Health (2023) ‘CanTEST Health and Drug Checking Service’, ACT Government website.

⁶⁸ Olsen et. al. (2019) *op. cit.*; A. Olsen et. al. (2022) *CanTEST Health and Drug Checking Service Program Evaluation: Interim Report*, Canberra, Australian National University; Olsen et. al. (2023) *op. cit.*

The final report on the permanent trial was published in April 2023 and found that the service should be retained.⁶⁹ Some key outcomes of this review were:

- that half of the test results (53 per cent (n=323)) detected the expected drug and an additional 2 per cent (n=12) detected another substance with high confidence as well as the expected drug;⁷⁰
- when the substance was not what a participant was expecting, they were four times more likely to report that they would 'definitely not' use the drug;⁷¹
- approximately 10 per cent of tested samples resulted in the drug being discarded at the service (n=64).⁷²

The review also reported on actual drug use undertaken after drug checking. These survey results found that when the substance was not detected, an additional substance was found or the results were inconclusive, the participant was less likely to use the substance. Thirty-two per cent reported they 'definitely will not use' the substance after testing it. Seven per cent of those whose sample showed the expected result answered that they would definitely not use it.⁷³ Many participants reported that they shared the results of the test with peers.

One of the major benefits identified by the review was that people engaged with health professionals (often for the first time) in relation to their drug use. Two-thirds of participants accepted an alcohol and other drug and/or general health intervention.⁷⁴ These services included general drug education, overdose prevention education and resources on harm minimisation (e.g. brochures, handouts, water).⁷⁵ This led to demonstrated behaviour change, including the discarding or non-use of drugs and harm reduction behaviours.

The review also found that the service provided valuable information on illicit drug availability and composition. This allowed ACT Health to release community notices and drug alerts.⁷⁶

The most recent monthly report, containing data from 21 November 2023 to 20 December 2023, stated that services had tested 196 samples, bringing the total number of samples tested to 1899. Of the 196 samples, nine were voluntarily discarded after hearing the results.⁷⁷

⁶⁹ Olsen et. al. (2023) op. cit., p. 3.

⁷⁰ *ibid.*, p. 2.

⁷¹ *ibid.*

⁷² *ibid.*

⁷³ *ibid.*

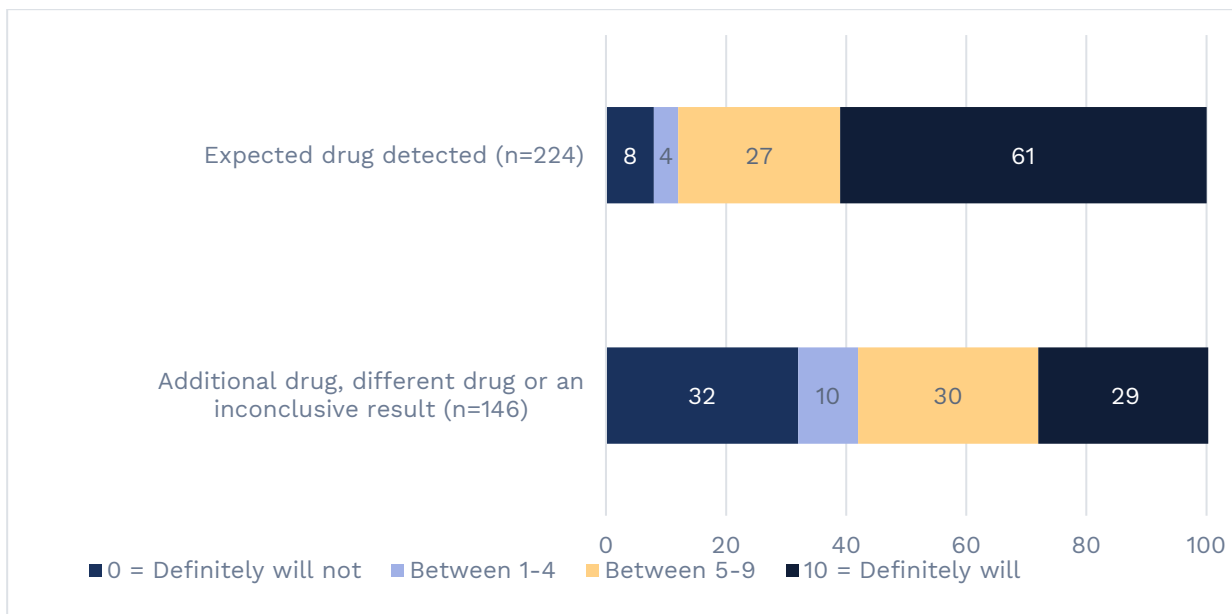
⁷⁴ *ibid.*, p. 25.

⁷⁵ *ibid.*, p. 17.

⁷⁶ *ibid.*, p. 53.

⁷⁷ Canberra Alliance for Harm Minimisation and Advocacy (2024) '[DATA DAY, DATA DAY!! Huzzah for drug checking, another month of @CanTESTCBR data for you, drug nerds.](#)', Twitter, 2.11 pm, 6 February.

Figure 3: Likelihood of use by expected drug and detected results (%). Survey participants were asked: ‘On a scale of 0 to 10, how likely is it that you will use it now that it has been tested?’⁷⁸



New Zealand

Pill testing in New Zealand occurred in a ‘grey area’ for several years before legislation legalised the services in 2020.⁷⁹ That year the *Drug and Substance Checking Legislation Act 2020* temporarily allowed drug testing services to operate, but the Act was automatically repealed after 12 months.⁸⁰ In 2021, the New Zealand Parliament passed the *Drug and Substance Checking Legislation Bill (No. 2)*, which amended the *Misuse of Drugs Act 1975*, *Psychoactive Substances Act 2013* and the *Medicines Act 1981*.⁸¹ This Bill introduced a licensing system for drug testing services to operate across the country. During the second reading speech, the Hon. Andrew Little, Minister for Health, said, ‘It’s ultimately about keeping people safe and giving people good, reasonable, and accurate advice’.⁸²

Currently there are five services licensed to provide pill testing in New Zealand through a variety of service delivery types, including: festival/field events; low-contact/drop-off services; satellite/pop-up clinics; and continuous service delivery.⁸³ Services can be publicly advertised, including on event posters, and licensees can make announcements if a harmful substance is identified. Changes to the law have protected services and participants from being charged with possession or supply of illegal drugs. Services can transport a substance to an approved laboratory for appropriate testing, and if a participant provides a sample for testing or disposal, this does not count as supply.⁸⁴

⁷⁸ Olsen et. al. (2023) op. cit., p. 42.

Note: ‘Expected drug detected’ category includes results with additional ‘low/lower confidence’ FTIR results. The ‘Additional drug, a different drug or an inconclusive result’ category has been collapsed due to small numbers in some categories and includes cases where no substance was detected. Note analyses are restricted to instances where follow-up survey was completed.

⁷⁹ Know Your Stuff NZ (date unknown) ‘[The Law](#)’, Know Your Stuff NZ website.

⁸⁰ [Drug and Substance Checking Legislation Act 2020](#) (NZ)

⁸¹ [Drug and Substance Checking Legislation Bill \(No 2\)](#) (NZ)

⁸² A. Little (Minister for Health) ‘[Second Reading Drug and Substance Checking Legislation Bill \(No 2\)](#)’, *Debates*, Wellington, Parliament of New Zealand.

⁸³ Ministry of Health (2024) ‘[Drug Checking](#)’, Ministry of Health, New Zealand.

⁸⁴ Know Your Stuff NZ (date unknown) ‘[The Law](#)’, Know Your Stuff NZ website.

In 2022, after the first full year of testing, the Drug Foundation had sampled 1720 samples and run 73 clinics.⁸⁵ Around a third of the drugs were found to be completely or partially different from what the participant expected them to be, and 46 per cent of people said they wouldn't take the drug after testing showed it was not what they expected.⁸⁶

The service has been extended until December 2024.

Queensland

In February 2023, the Queensland Minister for Health and Ambulance Services, Yvette D'Ath, announced a trial of fixed-site and mobile pill testing.⁸⁷ Minister D'Ath said that the service would be established as part of the *Achieving Balance Plan* to reduce alcohol and drug-related harm. Calls for tender were made in September 2023, and the Government aims to have the service running by December 2024.⁸⁸

The fixed site will be co-located with a health service, ideally near nightlife and public transport. The intention is for people to receive a 'brief intervention', including a health assessment and education on harm reduction, before a sample is taken.⁸⁹ Broader police powers to arrest people in relation to possession, supply and trafficking of illegal drugs will not be impacted.

The Queensland Branch of the Royal Australian College of General Practitioners (RACGP) supports the trial.⁹⁰ The Queensland Liberal National Party does not support the trial, with Deputy Opposition Leader Jarrod Bleijie telling the ABC, 'We don't support a trial of pill testing in Queensland. It sends the wrong message to Queenslanders, particularly in the time of a youth justice crisis'.⁹¹

⁸⁵ New Zealand Drug Foundation (2023) '[Report: What we found at drug checking in 2022](#)', New Zealand Drug Foundation website.

⁸⁶ *ibid.*

⁸⁷ Y. D'Ath (Minister for Health and Ambulance Services) (2023) '[Pill testing gets the green light](#)', media release, 25 February.

⁸⁸ F. Caldwell (2023) '[Police will not be called on users seeking illicit drug testing in Queensland](#)', *Brisbane Times*, 7 September.

⁸⁹ *ibid.*

⁹⁰ RACGP (2023) '[RACGP backs Queensland pill testing announcement](#)', media release, 27 February.

⁹¹ S. Wallan & J. Dennis (2023) '[Queensland government announces pill testing trial at fixed and mobile sites](#)', *ABC News*, 25 February.

Reference List

Legislation

Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2023

Drug and Substance Checking Legislation Act 2020 (NZ)

Drug and Substance Checking Legislation Bill (No 2) (NZ)

References

(2024) ‘It’s ok to say no’: Vic Shadow Police Minister slams pill testing debate’, *Sky News*, 20 January. <https://www.skynews.com.au/australia-news/politics/its-ok-to-say-no-vic-shadow-police-minister-slams-pill-testing-debate/video/28ce5ecd9b0662827010683cf0f6b08a>

ACT Health (2023) ‘CanTEST Health and Drug Checking Service’, ACT Government website. <https://www.health.act.gov.au/about-our-health-system/population-health/pill-testing>

ACT Health (2020) *The Festivals Pill Testing Policy: A Guide for Even Organisers to Implement Harm Minimisation*, ACT Government, Canberra.

Alcohol and Drug Foundation (2023) ‘Pill testing in Australia’, ADF website. <https://adf.org.au/insights/pill-testing-australia/>

AMA (2019) *AMA formally backs supervised pill testing trials*, media release, 22 March.

Attwooll, J. (2024) ‘Pill testing calls follow multiple overdoses at Melbourne festival’, *NewsGP*, 10 January. <https://www1.racgp.org.au/newsgp/clinical/pill-testing-calls-follow-multiple-overdoses-at-me>

Australian Institute of Health and Welfare (2020) *National Drug Strategy Household Survey 2019*, Canberra, AIHW.

Australian Lawyers Alliance (2024) *Lawyers Alliance calls on VIC Government to support drug checking services*, media release, 8 January.

Byrne, S., A. Gock, A. Cowling & T. Faunce (2018) ‘Australia’s First Official Illicit Pill Testing at Canberra’s Groovin’ the Moo Music Festival: Legal Hurdles and Future Prospects’, *Journal of Law and Medicine*, 26(1).

Cain, J. (2023) *Finding into death without inquest*, Melbourne, Coroners Court of Victoria.

Caldicott, D., T. Makkai, M. McLeod, S. Tzanetis & G. Vumbaba (2023) ‘A step change model analysis of the establishment of pill testing in one Australian jurisdiction’, *Harm Reduction Journal*, 20(172).

Caldwell, F. (2023) ‘Police will not be called on users seeking illicit drug testing in Queensland’, *Brisbane Times*, 7 September. <https://www.brisbanetimes.com.au/politics/queensland/police-will-not-be-called-on-users-seeking-illicit-drug-testing-in-queensland-20230907-p5e2oq.html>

Cameron, S., I. McAllister, S. Jackson & J. Sheppard (2022) *Australian Election Study 2022*, Canberra, Australian National University, December.

Canberra Alliance for Harm Minimisation and Advocacy (2024) ‘DATA DAY, DATA DAY!! Huzzah for drug checking, another month of @CanTESTCBR data for you, drug nerds.’, *Twitter*, 2.11 pm, 6 February https://twitter.com/CAHMA_/status/1754704411061031111/photo/1

Coroners Court of Victoria (2021) *Coroner calls for urgent drug testing services in Victoria*, media release, 7 April.

Coroners Court of Victoria (2023) *Highly potent MDMA pill testing prompts call for drug testing services*, media release, 6 September.

D'Arth, Y. (Minister for Health and Ambulance Services) (2023) *Pill testing gets the green light*, media release, 25 February.

Department of Health (2017) *National Drug Strategy 2017-2026*, Canberra, DoH.

Eddie, R. & B. Carmody (2024) 'Premier 'seeking further advice' on pill testing after overdoses at festivals', *The Age*, 16 January. <https://www.theage.com.au/politics/victoria/premier-seeking-further-advice-on-pill-testing-after-overdoses-at-festivals-20240116-p5exp8.html>

Eddie, R. (2024) 'How much a pill-testing trial would cost Victoria', *The Age*, 5 February. <https://www.theage.com.au/politics/victoria/how-much-a-pill-testing-trial-would-cost-victoria-20240131-p5f1bd.html>

Gebert, S. (2022a) *Finding into death without inquest*, Melbourne, Coroners Court of Victoria.

Gebert, S. (2022b) *Finding into death without inquest*, Melbourne, Coroners Court of Victoria.

Hales, H. (2023) 'Daniel Andrews confirms there's no plan to change Victoria's pill testing laws despite Qld shift', *The Australian*, 28 February. <https://www.theaustralian.com.au/breaking-news/daniel-andrews-confirms-theres-no-plan-to-change-victorias-pill-testing-laws-despite-qld-shift/news-story/a5b95a78803db1f710cc5b5f80c84144>

Healy, J. & C. Sibthorpe (2018) 'Groovin the Moo pill tests find lethal stimulant, pain and toothpaste in drugs', *ABC News*, 30 April. <https://www.abc.net.au/news/2018-04-30/groovin-the-moo-pill-testing-finds-lethal-product/9710112>

Know Your Stuff NZ (date unknown) 'The Law', Know Your Stuff NZ website. <https://knowyourstuff.nz/the-law/>

Law Reform, Road and Community Safety Committee (2018) *Inquiry into Drug Law Reform*, final report, Melbourne, The Committee, March.

Liberty Victoria (2024) *Pill testing facilities at festivals*, media release, 11 January.

Little, A. (2021) *Second reading: Drug and Substance Checking Legislation Bill (No 2)*, *Debates*, Wellington, Parliament of New Zealand.

Lyons, A. (2019) 'It's just assumed it's 100%': The toxicology of pill testing', *newsGP*, 29 April. <https://www1.racgp.org.au/news/gp/clinical/%E2%80%98it%E2%80%99s-just-assumed-it%E2%80%99s-100-%E2%80%99-the-toxicology-of-pi>

Martin, L. (2019) 'Pill testing at Groovin the Moo festival potentially saves seven lives, organisers say', *The Guardian*, 29 April. <https://www.theguardian.com/australia-news/2019/apr/29/pill-testing-at-groovin-the-moo-festival-potentially-saves-seven-lives-organisers-say>

McAllister, I., J. Sheppard, S. Cameron, S. Jackman (2022). *Australian Election Study 2022*, ADA Dataverse, V3. doi:10.26193/W3U2S3,

McAllister, I. & T. Makkai (2021) 'The effect of public opinion and politics on attitudes towards pill testing: Results from the 2019 Australian Election Study', *Drug and Alcohol Review*, 40(4).

Ministry of Health (2024) 'Drug Checking', Ministry of Health, New Zealand.

NCETA (date unknown) 'Harm Minimisation', Flinders University website. <https://nceta.flinders.edu.au/society/harm-minimisation>

New Zealand Drug Foundation (2023) 'Report: What we found at drug checking in 2022', New Zealand Drug Foundation website. <https://drugfoundation.org.nz/articles/2022-drug-checking-report>

Olsen, A., G. Baillie, R. Bruno, D. McDonald, M. Hammoud & A. Peacock (2022) *CanTEST Health and Drug Checking Service Program Evaluation: Interim Report*, Canberra, Australian National University;

Olsen, A., G. Baillie, R. Bruno, D. McDonald, M. Hammoud & A. Peacock (2023) *CanTEST Health and Drug Checking Service Program Evaluation: Final Report*, Canberra, Australian National University.

- Olsen, A., G. Wong & D. McDonald (2019) *ACT Pill Testing Trial 2019: Program evaluation*, Canberra: Australian National University.
- Parliamentary Budget Office (2019) *Policy Costing: Pill Testing Pilot*, Melbourne, PBO.
- Parliamentary Budget Office (2024) *Policy Costing: Pill Testing Pilot*, Melbourne, PBO.
- Patten, F. (2016) 'Introduction and First Reading: Drugs, Poisons and Controlled Substances Amendment (Pilot of Safe Consumption Room and Pill Testing) Bill 2016', *Debates*, Victoria, Legislative Council.
- Pill Testing Australia (2021) 'Frequently Asked Questions: Will you let me know if it will be 'safe' to use the pills/drugs I bring for testing?', Pill Testing Australia website. <https://pilltestingaustralia.com.au/faqs/>
- Pill Testing Australia (2021) 'Our Equipment', Pill Testing Australia website. <https://pilltestingaustralia.com.au/equipment/>
- Preiss, B. & A. Carey (2019) 'Government digs in on opposition to pill testing trial', *The Age*, 21 January. <https://www.theage.com.au/politics/victoria/government-digs-in-on-opposition-to-pill-testing-trial-20190121-p50sqc.html>
- Puglielli, A. (2024) 'Second reading: Drugs, Poisons and controlled substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2023', *Debates*, Victoria, Legislative Council, 7 February.
- Puljević, C., E. Leslie & J. Ferris (date unknown) 'Pill Testing: the facts', University of Queensland website. <https://stories.uq.edu.au/small-change/pill-testing-the-facts/index.html>
- RACGP (2023) *RACGP backs Queensland pill testing announcement*, media release, 27 February.
- Ratnam, S. (2017) 'Introduction and First Reading: Drugs, Poisons and Controlled Substances Amendment (Pill testing Pilot for Drug harm Reduction) Bill 2019', *Debates*, Victoria, Legislative Council.
- Ratnam, S. (2019) 'Second reading: Drugs, Poisons and Controlled Substances Amendment (Pill testing Pilot for Drug harm Reduction) Bill 2019', *Debates*, Victoria, Legislative Council.
- Ritter, A. (2014) 'Six reasons Australia should pilot 'pill testing' party drugs', *The Conversation*, 12 January. <https://theconversation.com/six-reasons-australia-should-pilot-pill-testing-party-drugs-34073>
- Roy, T. (2023) 'Canberra's Groovin the Moo music festival will again be without pill-testing, as insurance becomes 22 times more expensive', *ABC News*, 14 April. <https://www.abc.net.au/news/2023-04-14/canberra-groovin-the-moo-will-again-be-without-pill-testing/102222462>
- Schneider, J., P. Galettis, M. Williams, C. Lucas & J. H. Martin (2016) 'Pill testing at music festivals: can we do more harm?', *Internal Medicine Journal*, 46(11).
- Scott, I. & R. Scott (2020) 'Pill testing at music festivals: is it evidence-based harm reduction?', *Internal Medicine Journal*, 50.
- Sommerville, K., A. Ritter & N. Stephenson (2022) 'Pill testing policy: A comparative analysis using the Advocacy Coalition Framework', *Drug and Alcohol Review*, 41.
- Southey, M., A. Kathirgamalingam, B. Crawford, R. Kaul, J. McNamara, F. John-Leader, J. Heslop & S. W. Pit (2020) 'Patterns of ecstasy use amongst live music event attendees and their opinions on pill testing: a cross sectional study', *Substance Abuse Treatment, Prevention, and Policy*, 15(55).
- Springle, N. (2016) 'Introduction and First Reading: Drugs, Poisons and Controlled Substances Amendment (Lab-grade Pill testing Pilot) Bill 2017', *Debates*, Victoria, Legislative Council.
- Stephen-Smith, R. (2022) *Australia's first fixed-site health and drug checking service opens*, media release, 19 July.

Victorian Alcohol and Drug Association (date unknown), 'Drug Checking and Early Warning Systems: Knowing the harms can prevent the harms', VAADA website.
<https://www.vaada.org.au/aod-advocacy/drug-checking-and-early-warning-systems-knowing-the-harms-can-prevent-the-harms/>

Victorian Government (2018) *Response to the Parliamentary Inquiry into Drug Law Reform*, Melbourne, Department of Health and Human Services, August.

Wallan, S. & J. Dennis (2023) 'Queensland government announces pill testing trial at fixed and mobile sites', *ABC News*, 25 February. <https://www.abc.net.au/news/2023-02-25/queensland-pill-testing-drug-law-reform/102022942>

Woodall, N. (2024) 'How does Victoria's stance on pill testing shape up against the rest of Australia? Here's what you need to know', *ABC News*, 16 January.
<https://www.abc.net.au/news/2024-01-16/victoria-pill-testing-drug-overdose-states-explainer/103318284>

Suggested citation

Wright, A. (2024), *Pill testing: recent developments*, Parliamentary Library & Information Service, Melbourne, Parliament of Victoria.

Acknowledgements

The Parliament of Victoria Library acknowledges the Traditional Owners of the lands on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past and present, and we value Aboriginal and Torres Strait Islander history, culture and knowledge.

The authors would like to thank Marianne Aroozoo, Debra Reeves, Ellie Florence, Ben Reid, Angus Tonkin and Caleb Triscari for their assistance in the preparation of this paper.

Information in this paper was current as at the time of publication. It should not be considered as a complete guide to the particular subject or legislation covered. While it is intended that all information provided is accurate, it does not represent professional legal opinion. Any views expressed are those of the author(s). Some hyperlinks may only be accessible on the Parliament of Victoria's intranet.

© 2024 Parliamentary Library & Information Service, Parliament of Victoria



Research Notes produced by the Parliamentary Library & Information Service, Department of Parliamentary Services, Parliament of Victoria are released under a Creative Commons 3.0 Attribution-NonCommercial-NoDerivs licence.

By using this Creative Commons licence, you are free to share – to copy, distribute and transmit the work under the following conditions.

Attributions – You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).

Non-Commercial – You may not use this work for commercial purposes without our permission.

No Derivative Works – You may not alter, transform, or build upon this work without our permission.

The Creative Commons licence only applies to publications produced by the Library, Department of Parliamentary Services, Parliament of Victoria.

All other material produced by the Parliament of Victoria is copyright. If you are unsure, please contact us.

Enquiries

Victorian Parliamentary Library & Information Service
Parliament House, Spring Street
Melbourne VIC 3002
Telephone: (03) 9651 8640
<https://new.parliament.vic.gov.au/>

Research Note

Parliamentary Library & Information Service

ISSN: 2204-4779 (Print) 2204-4787 (Online)