

**After the Law: the Phoenician Club, the Premier and the death of Anna Wood.**

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**Forthcoming in PERFECT BEAT.**

*"Let us not, therefore, ask why certain people want to dominate, what they seek, what is their overall strategy. Let us ask, instead, how things work at the level of on-going subjugation, at the level of those continuous and un-interrupted processes which subject our bodies, govern our gestures, dictate our behaviours etc ... we must attempt to study the myriad of bodies which are constituted as peripheral subjects as a result of the effects of power"*  
(Foucault, 1980: 97-98).

### Introduction

Since Howard Becker's (1963) examination of the jazz musician as 'outsider', various studies have addressed popular music in relation to its governance. Adapting Becker's 'moral entrepreneurs', the Birmingham School traditions of 'cultural criminology' sought to unravel the procedural nature of a sociology of deviance (eg. Pearson, 1983; Young, 1971; Cohen, 1972; Frith, 1983) and produced vital examinations of the state's engagement with sport, music and drug subcultures. Building upon the cultural studies tradition, Cloonan (1996), Grossberg (1992), Clarke (1982), Chevigny (1991), Kenney (1993) and Redhead (1990, 1993, 1995) have provided useful analyses of governmental strategies designed to censure, ban or modify music practices. The methodological foundation for such studies was provided by Stanley Cohen's study of mods and rockers clashes in 1960s seaside Britain and the judicial and administrative responses to youth violence, amplified through dramatic media coverage and editorial sermonising. Cohen's now familiar concept of moral panic, in which "a condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests" (1972: 9) remains a valuable theoretical notion in the intersection of law and popular culture. The nature of law and order campaigns (Hall et al 1978) as 'common sense'

reactions to moral panics also remains useful in the analysis of contemporary events, particularly given their enduring appeal as control mechanisms.

Redhead's (1993, 1995) and Chevigny's (1991) work also reflect a Foucauldian methodology, in stressing the micro-politics of power, and an examination of the "range of multiform tactics", the various instruments of power within specific state apparatuses (Foucault, 1979: 13). Chevigny's account in particular, of New York musicians' victory over efforts by New York City Council to abolish black jazz venues - their specific court battles to repeal racist and absurd cabaret laws - is a detailed reminder that power is never simply repressive, but constitutive. This article examines the intersection between youth lifestyles, music practices and a particular spatial politics of moral governance. In revisiting Cohen within a 1990s sociology of deviance, it will be argued that the classic panic model's pre-occupation with the 'why?' - the logic of cause and effect - has diminished emphasis upon post-panic governance - that is, *how* regulatory strategies continue to influence those subject to moral entrepreneurship. This Foucauldian shift will be examined via Sarah Thornton's recent work on moral panics and British rave subcultures. Rather than asserting that moral panics have simply become "a routine way of marketing popular music to youth" (Thornton, 1995: 120), it will be argued that panics need to be assessed as instances where processes of discrimination translate into continuing processes of prohibition.

Within its Australian contexts, several moral panics have evolved from the bohemian lifestyles of performers and audiences: 1920s and 1930s concerns in the 'larrikin' behaviour of jazz audiences and the importation of black American musicians (Bissett, 1979); the 1950s fears of local councils of an emergent youth rock culture and concerns regarding violence, sexual promiscuity and teen drinking (Sturma, 1991; Homan, forthcoming); and 1960s surfies-rockers clashes which prefigured British mods-rockers battles (Bessant, 1995), where surfers' 'invasions' of Sydney lifesaving club culture were not welcomed by adults, who believed that youth did not observe formal membership rites/rights to use of the beaches and clubs (McGregor, 1968, 1992). Minor panics concerning the tours of hard rock bands such as AC/DC (Walker, 1994) amidst fears regarding the defiling of 'innocent' female fans have also featured as localised concerns.

The death of schoolgirl Anna Wood after her attendance of a Sydney dance party at the inner city Phoenician Club on the 21st of October 1995, and subsequent media coverage and policy directives by the NSW Carr Labor government provide a recent construction of dance parties (raves) as the new folk devils of youth subcultures.<sup>1</sup> Anna Wood's death created media and government concern in familiar panic territory: drug use and youth dance practices. Specifically, the use of ecstasy by under age schoolgirls at a (legal) dance party prompted fears of innocent Australian youth 'lost' to an emergent rave drug subculture.<sup>2</sup> In examining the potent mixture of these events and discourses, I am chiefly concerned with the State's desire to punish the Phoenician Club for the schoolgirl's death. While juridical process did not achieve the government's desire to close the Club, it is argued that the episode continues to affect the viability of certain music practices within Sydney. The Phoenician Club case consisted of three (related) media, legal and administrative battles: the panic which erupted immediately after Wood's death; the court hearings instigated by the NSW Premier seeking to close the Club; and the struggles by the Club to retain its present site. These will be dealt with in turn.

### Youth on the Streets

The specific relations between the media, youth policy and youth music subcultures in NSW in 1995 should first be placed within the context of the Liberal and Labor party campaigns preceding the State election of March 1995. Law and order reform, community safety and perceptions of increasing youth crime were central campaign issues. A *Daily Telegraph Mirror* report in November ('City of Fear', 17/11/94) cited a police study indicating that 58% of those surveyed feared violence or being murdered. This provided Opposition Labor Leader Bob Carr with the context for constructing a minor panic regarding street safety in the weeks before the election. Despite surveys from the NSW Bureau of Crime Statistics which revealed that the instances of reported crime remained stable or had decreased,<sup>3</sup> Carr, with skilful responses to tabloid reportage, depicted NSW as a community subject to increasing 'home invasions' (break and enter robberies), youth gang attacks and 'soft' sentencing by magistrates of those convicted.<sup>4</sup> Displaying a wilful ignorance of the

statistical evidence, Liberal Premier John Fahey announced a dual legislative response to the 'problem' of youth on the streets. The Children (Parental Responsibility) Bill 1994 required parents to be more accountable for their child's actions in regard to their presence at court appearances and counselling sessions. More significantly, the Bill authorised police to take children back to their homes upon suspicion of criminal behaviour. In addition, the Summary Offences And Other Legislation (Graffiti) Amendment Bill 1994 made it an offence to carry an aerosol paint spray can 'with intent', designed to discourage graffiti practices on trains, homes and public buildings. The current Carr Labor government is also contemplating the introduction of the Street Safety Bill, which would empower police to disperse groups of three or more youths if criminal intent is suspected.

The transitory sites of shopping centres, town hall dances, cafes, milk bars and the street corner, have always been contested as appropriate sites of youth leisure, where the time-honoured activity of just 'hanging around' could result in police harassment (Finnane, 1994). The shift in tolerance regarding youths' use of public space correlates with an increase in the number of commercialised / privatised public spaces removed from public management (White, 1994: 110-114). The shopping centre is one site where consumers are increasingly privileged over youth groups, who are actively discouraged by police and shop managers from using the centres as meeting points for leisure. The Parental Responsibility Bill, the Summary Offences Act changes and a potential Street Safety Bill reflect continuing efforts of governments to enact legislative change which mirrors the mobility of youth leisure practices, in enhancing police powers at the direct point of contact with youth. Such legislation also reveals the forms in which notions of mobility for youth are increasingly signified by images of criminality and chance (Grossberg, 1994).

### Phoenician Club History<sup>5</sup>

The Phoenician Club site of 173-179 Broadway in Ultimo had been used for various purposes within the last 50 years as a ballroom, cinema and television studio. It was well known from approximately 1968 to 1972 as a nightclub/restaurant with live bands under the management of John Spooner. The venue created initial

employment opportunities for many bands in and travelling through Sydney - Sherbert, AC/DC and other Australian rock bands enjoyed residencies. In November 1980 the Maltese community's Phoenician Club was granted consent by Sydney City Council (SCC) to use the premises as a licensed club. Formed in 1963, the Club primarily serviced the cultural needs of the Maltese community in providing a meeting place for Maltese groups. As a licensed club, the site was resurrected as an important live rock venue within Sydney's Central Business District, and provided the Club with a reliable revenue source for its wider community activities. In 1987 the SCC granted a further 5 year lease of the premises (SCC Council Minute, June 1987). It was a successful site of dance parties throughout the 1980s and into the early 1990s. Simulations of the Manchester techno dance party scene - 'Manchester Winter Parties' - were held at the Club in 1991 (Murphie and Scheer in Hayward, 1992: 182).

The use of the Club for weekend youth entertainment was halted in September 1992 after police raided the premises during a dance party, where the Club was subsequently charged with admitting an estimated 200 non-members. Entertainment areas of the Club were closed from the 13th of September with the withdrawal of its public entertainment permit by the SCC, citing failure to comply with fire safety standards (Town Clerk letter to Police, October 1992, SSC file). The Club negotiated a reduced site rental with the SCC until their entertainment permit was restored in July 1994, with an entertainment capacity of 780 people.<sup>6</sup> The dance party prosecution may have triggered a corresponding increase among other regulatory powers in monitoring the Club's wider entertainment authorisations. As had occurred with other larger suburban venues, subsequent reductions in auditorium capacity threatened the viability of the Club's weekend entertainment. Prior to implementation of the new fire safety measures, rock bands were attracting between 1000 and 1500 people on Friday and Saturday nights. Council officers at the site throughout 1994 reported that audiences did not exceed 600 (SCC Properties Sub-Committee Minute Paper, May 1995).

The reduction in audience numbers also did not allow the Club to recover the absence of entertainment in the Club for 11 months and an accompanying loss of revenue. After operating at a loss of approximately \$100 000 throughout 1994,

applications for extended trading hours were granted in May 1995, subject to independent acoustic reports of the impact of entertainment on residents and the nearby St Barnabas Church (SSC Minutes, May 1995). A chartered accountant's report noted that while poker machine revenue had increased, the Club's future viability rested with live bands, and advised directors to "maximise all available club time to such activities" (Fassmilo Bonney report to Phoenician Club, 4/7/95, SCC file). With its live band policy failing to reinstate finances to their previous position, the Club on 13th of July hired promoter Rob Falconer to provide band and dance party functions at the Club on Friday and Saturday nights. The promoter's estimates by staff of September and October attendances reveal mixed success: "the first two functions (bands) in October attracted 980 and 543 patrons respectively, whilst in September a dance party attracted 654 [patrons], 3 band nights 894, 908 and 388 [patrons] respectively" (Director of Liquor and Gaming v Phoenician Club of Australia Ltd Decision, Licensing Court of NSW, 7/5/97: 33)

#### "From High School to Tragedy"<sup>7</sup>

On the 21st and 22nd of October 'Apache' Dance Parties were held at the Club as a continuation of the new functions policy. On the 21st a group of girls from Forest High school, accompanied by an older 19 year old male friend, bought ecstasy tablets outside the Club before seeking entry to the dance party. After consuming the tablets, the schoolgirls were accompanied into the Club by their older friend. At approximately 4 am Anna Wood began vomiting and was escorted by her schoolfriends outside the premises, driven to a friend's house and put to bed (Donaghy, 1996: 141-163). At 10 am Wood's parents were notified of their daughter's illness and an unconscious Wood was transferred to Royal North Shore Hospital. Wood died on the following Tuesday (ibid: 164-179).

Disciplinary response against the Phoenician Club was instigated in two forms. On Wednesday the 25th of October, Premier Carr advised State parliament that the schoolgirl's death was

*... a reminder that in our community there are people driven by greed who continue to peddle death to children ... at the Government's instruction, two inspectors of the Department of Gaming and Racing were sent to the Phoenician Club in Ultimo to gather information ... We will be withdrawing the club's functions licence to prevent it from holding any further dance parties. We will also be taking action to cancel the Phoenician Club certificate of registration - that is, its liquor licence (NSW Parliamentary Debates, 25/10/95: 2339-2340).*

South Sydney Council also notified the Club that it had breached council approval in regard to extended trading hours. The Apache dance parties operated until 6 am; the current approval for Saturday night allowed functions to operate until 2 am (6 am closing was to be permitted after submission of an independent acoustical report) (Council letter to Club President, 25/10/95).

After the Premier's statements conducted under parliamentary privilege, the NSW Director of Liquor and Gaming's strategy to withdraw the Phoenician Club's certificate of registration rested upon two central complaints: that the Club

*Permitted "rave parties" or "dance parties" and live band performances to take place in the auditorium of the defendant club, and attendance was open to members of the public generally for said "rave parties" or "dance parties" and live band performances not being functions within the meaning of s23 of the Act*

and that the Club had not

*... exercised its certificate of registration in the public interest ... the defendant club permitted "rave parties" or "dance parties" and live band performances to take place, attendance at which was open to members of the public generally, including persons under the age of 18 years, being persons not otherwise entitled to use the accommodation, facilities or amenities of the defendant club (Director v Phoenician Club, 1997: 1)*

Registered clubs in NSW are permitted to hold functions which, under section 23(1)(a)(b) of the Registered Clubs Act 1976 (henceforth referred to as the Act) are defined as celebrations of Christmas, or functions of a "cultural, educational, religious, patriotic, professional, charitable, political, literary, sporting, athletic, industrial or community nature". A central component of the Director's prosecution defined the Apache dance parties (and band entertainment) as outside the purview of functions within the Act. While dance parties could be regarded as cultural (or indeed community) events, they could certainly not be viewed as core activities of the Club as a forum for the local Maltese community. As the council records reveal, the youth entertainment provided was strictly viewed by the Board of Directors (along with poker machines) as a source of revenue essential to the Club's future.

The other serious grounds of complaint involved a range of breaches of the Registered Clubs Act concerning the presence of those under 18 within the club. After evidence from several who attended the dance parties, the Magistrate found liquor had been illegally served to minors, who also gained access to poker machine areas (ibid: 10,18-19). Formal records of entrance to the Club - registers of members, temporary members and guests - were also found to be insufficiently kept in breach of the Act, particularly in relation to dance party attendances (ibid: 11-14). The Magistrate also found Club deficiencies in poker machine records and their operation, and credit, jackpot and cash flow discrepancies (ibid: 14-15). In relation to the monitoring of functions, the Club was also found to have inadequate security and Club staff present at the Apache dance parties (ibid: 23-27). One of the most significant complaints in regard to potential withdrawal of the Club's certificate of registration concerned the use of ecstasy within the Apache functions; that ecstasy and other prohibited drugs were sold and consumed "on or in the immediate vicinity" of the Club. Several of Anna Wood's friends submitted evidence of the sale of ecstasy and LSD within and outside the club; the Magistrate found the complaints established and that "illegal drug use was widespread among the patronage" (ibid: 29). With both complaints established, the Club was fined \$100 000 and its function authority suspended for 6 months. The former President, Victor Dougall and current President, Frank Merceica were declared ineligible from holding positions of office in any club for 2 years; Club Secretary Paul Trevithick was suspended from duties for



2 months. The Club was also ordered to implement the Licensing Court's standards of harm minimisation in regard to alcohol sales and consumption (ibid, 12/5/97: 5-6).

Before considering the interplay of youth, media and political processes, it is worth examining briefly the "aesthetics of law" (Redhead, 1995: 111) - the determination of the case upon its own regulatory principles. As a central complaint against the Club, the definition of functions within the Registered Clubs Act 1976 is interesting within the context of their application to the Phoenician. The range of lax behaviour from Club officials concerning the operation of entertainment over several months was conclusively established in the presentation of court evidence and examination of (often missing or altered) Club records.<sup>8</sup> Yet in declaring that live bands and rave/dance parties were not functions "within the meaning of s23 of the Act", the Director of Racing and Gaming indirectly questioned the traditional practices of club entertainment. While the Club did not observe its technical duties in regard to the keeping of guest registers, security arrangements and Board authorisations, the provision of live band entertainment and dance parties did not differ from the practices of clubs throughout the State in admitting non-members to entertainment staged through promoters unconnected to the Club. As one of the initial solicitors defending the Club observed:

*If a member signs in to a club under the 5 km rule of the Registered Clubs Act, I ask you rhetorically, what's wrong with that? If a club advertises, for instance a big club on the Central Coast, advertises Jimmy Barnes and they get 2-3000 people. And on the day they turn up to see Jimmy Barnes we find that 95% of the people in the auditorium are not members of the club, and are not guests, but are in fact temporary members, and we've all come from far and wide to watch Jimmy Barnes, what's wrong with that ? (interview with Mal Dickson, solicitor with Piggot, Stinson, Stuart Thom, 5/3/96).*

In this sense, the seemingly innocuous complaint that the Club "permitted" dance parties and live bands is co-opted within a wider debate of acceptable club entertainment "in the public interest". In observing that Apache dance party tickets were pre-sold to the general public, Magistrate Harvey declared that the Falconer promotions were not "with very few exceptions functions under s23, it is also clear that they were not functions of the club" (Director v Phoenician Club, 12/5/97: 33-

34). This decision begs the contextual manner in which functions are defined, and seen to operate, within the everyday practices of club entertainment. The reference to (Australian rock singer) Jimmy Barnes above is intended to reveal the everyday practice of clubs in the use of third parties (the hiring of promoters) for club entertainment. In this instance the apparently immutable legislature of the Registered Club Act is subject to pragmatic shifts in practical observance. If the Apache functions were found to be against the public interest within the broader understanding of how clubs should be conducted, then all club functions with little or no apparent connection to the club's formative principles are, de facto, against the public interest.

In a subsequent hearing to determine the nature of disciplinary action taken against the Club, Magistrate Harvey stressed the impartial nature of the Court:

*.... it goes without saying, but perhaps I should mention it because it was raised during submissions, although it was something that had certainly slipped my mind over the course of the last 18 months, that it's no concern of this Court as to what the Premier wanted in relation to this club or any other club, and this Court of course will ignore the perhaps understandable public expressions of a Premier concerned about the death of a young person, and deal with the matter in a cool and calm way, having concerns only with the objective facts put before it and the other submissions that are put before it in the course of these legal proceedings (ibid, 12/5/97: 2).*

The perceived need to reassert the objective principles of the Licensing Court merely serves to underline the politicisation of Anna Wood's death exemplified in the Premier's parliamentary statement. Such reassurances need to be placed within the context of the packaging of complaints brought before the Court. The Magistrate can only act upon the breaches brought before him; the nature of complaints and their wording by the Director of Racing and Gaming in some instances allow other agendas to be re-inserted. The Premier's desire to close the Club, in lieu of a considered account of the events of the 21st of October, is reflected in the comprehensive examination of the Club's operations, and the range of complaints

unrelated to its functions authority: incorrect book-keeping, poker machine operations and various financial "discrepancies". Indeed, the number of then alleged breaches became the initial discursive media weapon in the ensuing portrayal of the Club as folk devil.<sup>9</sup> The identification of the Apache functions as raves were central to prosecution attempts to establish the consumption of ecstasy outside and within the premises. In video evidence of the Apache dance parties submitted to the Court, the Magistrate observed a *Metropolis*-like 'clubculture' in contrast to the tempered nature of registered club culture:

*That video shows large numbers of people dancing relentlessly in ranks and files to the mechanical techno music being provided and some of them have a somewhat glassy-eyed appearance and others are dancing in a rather frenetic manner ... Furthermore, the constant display of the large stylised 'E' on a banner immediately in front of the stage and the disc jockey provides, in the absence of any other explanation, support for the view that this was indeed a 'rave' party at which those attending would expect ecstasy to be used (ibid, 7/5/97: 22).*

As the Magistrate emphasised, juridical process is seemingly immune to a politics-of-law and media processes; the Phoenician hearing was determined within the technical confines of licensing law. Yet the above observations of the Apache functions provide an authoritative equivalent of cultural distaste of youth practices found elsewhere. Media coverage after the Apache functions cast rave cultures in a predictable light: "Dance girl coma"; 'Lethal Cocktail'; 'Police anger at rave party'; 'Rave parties drug hunting grounds'; 'Agony of Ecstasy'.<sup>10</sup> The more devious constructions of raves and ecstasy as the new dual youth folk devils were found in the distortion of health research. The complex ways in which drugs were used for specific purposes and sites did not conform to the mechanical visions already mapped out by media. Accompanying the beatific picture of Anna Wood in school uniform, the *Daily Telegraph Mirror* cited a NSW Australian Medical Association (AMA) in a report headed 'Teen drug use an epidemic' (Allport, 1996: 3). The survey, part of an AMA Anna Wood Drug and Alcohol Education Project to formulate education strategies among State schools, is notable for revealing the disproportionate media coverage of ecstasy usage. Alcohol was deemed

responsible for the majority of all drug-related deaths in the 15-34 age group; 25% of those aged 12-17 were cigarette smokers; 4% of 14-19 year olds used amphetamines. Only 3% had used ecstasy. In 1992, 128 youths aged 15-24 died from illicit drug usage (AMA 'Live the Future' Campaign, March 1996).

The ecstasy-rave panic also became enmeshed within the policing crisis engendered by the NSW Royal Commission into Police Corruption and was duly supported by the media. The Commission heard that Police supplied ecstasy, cannabis and LSD within various city clubs (Brown, 1996: 2). Before Wood's death, legislature empowering police with closure or prevention of raves extended across several statutes: s.29 of the Theatre and Public Halls Act 1908; s.79 of the Noise Control Act; the 1901 Inclosed Lands Protection Act; s.37(4) of the Drug Misuse and Trafficking Act; and the 1990 Police Service Act (Mackay, 1995: 23-25). Under the 1993 Local Government Act (s.68), promoters are required to seek council approval; development approval under the Environmental Planning and Assessment Act is also often required. In March-April 1996 the State government announced its wider policy response. A Memorandum of Understanding between police and local councils was signed on the 6th of March as an agreement outlining their separate and binding responsibilities in regard to an increasing rave governance. In the launch of Youth Week in April, the Premier announced amendments to allow minors access to hotels and clubs for alcohol-free entertainment, and junior membership of registered clubs.

In acknowledging the gap between the range of club/pub leisure practices and youth opportunities, the move to shift youth orientated activities to licensed premises was an attempt to incorporate youth 'waywardness' within sound commercial environments with greater conformity to policing strategies. Here I want to briefly note the micro-political conflicts evident in licensed premises' attempts to implement youth entertainment within the immediate shadow of the Phoenician panic. In terms of the Cohen model, it became evident to dance promoters in the wake of Wood's death that the Phoenician Club dances had produced a heightened awareness of like activities, in what Cohen defined as "sensitisation", which "transforms an ambiguous situation into an absolutely potent generalised threat" (Cohen, 1973: 77). The original panic in effect became a referent for the re-interpretation of previously

innocent behaviours within a continuum of potential deviancy. Several dance events planned for November 1995 were cancelled by venue managers (*3-D World*, 1995: 42). A Central Coast group, the Youth On the Peninsula committee was formed to provide alcohol and drug free entertainment with the support of the local council (a councillor was on the committee).

*We spent a year working on a dance party in the Ettalong Club, which is a magnificent 2000 capacity room, had the police involved, who fully supported it. One of the grounds mounted by the Government before the Court was that 'a gathering of young people would lead to illegal activities'. Presumably this means the Government is preparing to close all schools. What was ironic was that the dance party had been in planning for 12 months and had the support and backing of the Police, Gosford Council, Department of Health and local youth organisations. Despite the Government being represented by a team of four lawyers, we were successful in holding the dance party and it was a great success. Anna Wood's father subsequently commented on how well it was run. It was a great credit to the Ettalong Memorial Club that it proceeded with the event, as the club was threatened with the loss of its liquor licence if there were any problems with the dance party. Although it was our intention to hold a dance party every month, subsequent restrictions imposed by the liquor licensing authorities have resulted in our initiative not proceeding further at this time (Chair of Youth on the Peninsula, solicitor Warren Cross, email to author 17/8/96).*

Initially devised to operate dances fortnightly, the committee became entrapped within the technical obstructions of licensing laws derived from government directives (a six month trial was finally granted to commence from September 1996). An alcohol-free nightclub for youth in Sydney's Northern Beaches, Figure Five, was closed in January after resident complaints concerning noise and graffiti; a western suburbs under-18 dance party which had been operating for four years, Fusion Australia, was also closed within this period (Goudkamp and Woods, 1996: 7). These events, as organised alternatives to the government's problematic relation (criminalisation) of unstructured leisure practices, in turn were inevitably viewed as part of the 'problem'. Successful sites of some continuity - the Fresh dance parties

at Kinselas in inner city Darlinghurst, Equinox at the Marconi Soccer Social and Recreation Club, Pump Mania at Apia Soccer Club - straddle the fragile combination desired: approximating the ambience of raves within sites and practices of parental (and by extension government) approval.

### Representations of Difference

In this section I want to consider the conjunction of media constructions and their influence upon the seemingly fixed practices of legal process and youth activity within the site-specific context of the Phoenician Club hearings. The defining of subcultural practices - within the courts and the media - are important in allowing the original dramatic event to be perceived disproportionately to the actual societal threat. Labelling produces discursive sites where the rift between meanings and application are incorporated in policing strategies.

This is evident in the examination of the dance scene by the media after Wood's death. The shift encompassed print and broadcast media, exemplified in the *Sydney Morning Herald* coverage before the Apache functions ('Dancing All The Way To The Bank') and after ('Lethal Cocktail'). Channel Nine's *60 Minutes* program ('Rave On', 3/3/96) provided a familiar circuit of tabloidisation in the linkage of barely understood music forms to deviance. *60 Minutes* reporter Tracy Curro's comparisons of techno to rock reveals the ways in which the music was co-opted as part folk devil:

*Curro: Maybe I'm not listening to it properly, but it does seem very monotonous.*

*[DJ] Pee Wee Ferris: A lot of people say that about classical [music] when they don't understand it.*

*Curro: But how do you dance to it? (ibid)*

Footage of raves juxtaposed images of the Wood funeral, with *Daily Telegraph* and *Mirror* headlines providing a montage of concern. In the absence of informed sources regarding the nature and frequency of youth drug consumption, Anna

Wood's sister, Alice, was interviewed. The role of placing the Wood panic within the broader context of public health fell upon dance promoter Tony Papworth: "What people fail to understand is that closing down dance parties is not going to solve the drug problem - the weekend that Anna Wood died, six teenagers died as a result of alcohol" (ibid).

Perhaps the most acute linkage between the music, club activities and deviancy can be found in the book published subsequent to Wood's death by *Sydney Morning Herald* journalist Bronwyn Donaghy, with assistance from Anna's parents. The descriptions of the Apache functions are instructive in the aesthetic of redemption which pervades the book:

*The beat filled their heads as soon as they entered the club. They were in a dimly lit room full of poker machines, but the pulse of the music from the dance floor reverberated around them. Techno music relies heavily on a repetitive thudding beat. It is raucous, continuous, monotonous and loud. Some numbers have limited lyrics and these, too are over and over and over with no discernible change in key. Yourh  
ouseismyhouseYourhouseismyhouseYourhouseismyhouse .... Illuminated by green, red and purple strobes, crowds of people writhed and jerked to the grating techno beat ... Like high priests on a pagan altar, the disc jockeys sat beneath a red and green symbol on a raised stage. The dancers massed in front of them, gazing up, resembling worshippers as they jerked, gestured and ground their hips on the crowded dance floor; there wasn't much room to move but it didn't matter. This sort of dancing required no fancy foot movement, there were no steps to learn (Donaghy, 1996: 151-152).*

In her study of dance scenes and associated panics in Britain, Sarah Thornton documents well the means with which media portrayals of the type discussed above serve to solidify subcultures as an integral part of their formation, to the extent that "[m]ass media misunderstanding is often a goal, not just an effect, of youth's cultural pursuits" (Thornton, 1995: 120). Thornton's work posits a post-Birmingham model in which subcultural styles and meanings are diffused and invested in more fluid ways and circulate within a range of taste cultures. There is also a marked shift in terms of

perceived media influence. Rather than the familiar agenda setting model proposed by Hall et al (1978) which focuses on commercial media, Thornton believes "niche media" (music magazines and newspapers) and "micro-media" (flyers, fanzines, telephone information lines, internet sites) to be equally valid framing mechanisms (1995: 137-162). The media processes of moral panic, it is argued, "fails to acknowledge competing media, let alone their reception by diverse audiences" (ibid: 136). The tabloid coverage of Wood's death certainly provoked a coalition of underground media and promoters in defence of fragmenting and increasingly commercialised rave scenes. The published letters and articles in *3-D World* in the weeks after Wood's death reveal the ways in which panics can produce an immediacy of concern and defence of existing practices. Niche and micro-media, particularly street press such as *3-D World*, perform an important binding function in reasserting a subcultural sense of self. While panics set in train the mechanisms of defining activities for the purposes of prosecution and prohibition, equally the processes of labelling are reassessed within subcultures to assist in the maintenance of authenticity in reinforcing a 'unity' of difference. This can also occur through the commodification of taste cultures, in the instances where the mainstream attempt to simulate the illicit ambience of smaller scenes. The British experience of "chartpop" discos and hostility to a clubculture where "Sharon and Tracy dance around their handbags" (Thornton, 1995: 99) has been replicated in Sydney scenes:

*Maybe in respect for the Old Ravers we should just change the whole scene, so there is [sic] no longer raves .... but what? Disco? So we can dance to some top 20 and 'pick up' some nice gal or guy ... NO! We want the positive vibes to reappear, come on everything has to be so bad at one stage for it to become sick!!! .... IT IS THE MUSIC, IT IS THE EMOTION, IT IS THE CLOTHES, IT IS THE TECHNICAL KNOWLEDGE AND SKILL, IT IS COMPETITION, AND IT IS EARNING YOUR STRIPES. IT IS THE FAMILY. IT IS THE IDENTITY.*

*... too many moronic people have turned up to raves to either look good, be cool or to cause trouble ... Pardon my French, but who gives a fuck about what you look like, go to fuckin' nightclubs if you want to look cool ...*



*The rave scene needs to go under, under, underground. It may never return to the way it was (though I wish it would) but maybe it would improve the state it's in now (3-D World letters, 1/4/96: 62).*

The increasing appearances of clubbers within the rave scene could partially be attributed to the increased media attention of both scenes as a consequence of the Phoenician/Wood panic. The threat of raves being transformed to 'overground' status through the attendance of clubbers not prepared to "earn their stripes" in appropriating the required subcultural capital was an immediate concern. Yet the commercialisation of scenes - a gradual shift from illegitimate raves to a sanitised club dance party culture - is not solely the product of media manipulation. Within her history of club and rave subcultures within Britain, Thornton does not document the various means by which commercialisation derives from regulation. Segregation of scenes is a fluid process which operates in both directions, despite the discourses of harmony and egalitarianism which rave scenes internationally espouse. The assembly of legislation within Britain - the Greater London Council Code of Practice, the Licensing Act 1988 amendments, the Entertainments (Increased Penalties) Act 1990, the Criminal Justice and Public Order Bill 1994 - directly or indirectly, produced censored dance cultures of a more static commercial character. The direct effects of regulation in producing a shift in clubculture are evidenced in the history of Manchester's Hacienda Club, where compliance with police and the local council (after an ecstasy death and gang violence) amounted to its subcultural demise (see Redhead, 1993: 14-20). The Hacienda provides an important case study in which legitimacy is conferred through commercialisation.

The Wood-Phoenician panic revealed little evidence of dialogue between media of approaches taken, or that politicians were heeding the efforts of niche media to place the death within wider contexts. The only evidence of differing agendas were to be found in the weekly street press, the independent *City Hub* and dance music magazine *3-D World*. The dearth of exchange of and between media limits the potential implied by Thornton for niche or micro-media to exert influence disproportionate to their size or readership. In this sense one is inevitably forced back to the restrictive processes of agenda setting (Hall et al 1978) where dialogue predominantly occurs *within*, not between constituencies. In the wake of the Apache

function, tabloid portrayals remained the defining image for both sides of parliament in the construction of a consensual framework:

*I am sure all members of the community and honourable members of this House experienced a chill when they read the article and saw the photograph of Anna Wood on the front page of today's Daily Telegraph Mirror. They made me realise just how close our homes and communities are to drug-related deaths ... I endorse the actions of the Premier, who is seeking to close down the Phoenician Club and other locations which encourage or assist young people to take drugs* (State Liberal member for Davidson, Andrew Humpherson: NSW Parliamentary Debates, 25/10/95: 2351-2532. Anna's school, Forest High, is situated within the Davidson electorate).

Wood's background confounds prior assumptions of panics driven by middle class concern in working class youth. As a 15 year old planning to enter the workforce the following year, Wood and her friends provide an example of those with sufficient time and economic capital to pursue a more elusive "subcultural capital".<sup>11</sup> The panic was partially constructed upon the media's emphasis (reflecting wider societal concern) that a *northern suburbs* schoolgirl had consumed illicit substances before illegally entering licensed premises. Wood's familial circumstances were instrumental in the construction of public disquiet:

*There's no doubt she came from a middle class environment and she was the quintessential fresh-faced Australian child that everybody could relate to ... That really did make her an emotional subject* (Daily Telegraph Editor John Hartigan cited in Hunter, 1996: 4).

The newspaper further asserted that "if she had died of a heroin overdose we wouldn't have covered it no matter who she was" (ibid). The hitherto incoherent nexus of illicit - and significantly, 'innocent' - schoolgirl leisure and middle class origins was significant in reinforcing a binary ethics of normalcy and evil. This was particularly evident in the Donaghy publication which emphasised that

*This was no rejected street kid who took drugs to escape from the reality of a homeless, hopeless future. Anna Wood wasn't an unemployed delinquent or runaway. She came from a comfortable home in a pleasant northern beaches suburb. She had just left school and secured an apprenticeship for the sort of job she'd always wanted* (Donaghy, 1996: 180).

Within the simplified truths of tabloid construction, Wood's background and leisure patterns produced an idealised existence with which to mount the moral barricades. Within the context of the Labor government's recent criminalisation of street youth behaviour, Wood clearly did not fulfil the vigilante baseball-caps-askew profile of problematic youth. This served to confirm the extent of the raves-drugs 'problem', in emphasising subcultural appeal which transcended age and class barriers. Wood (and her friends) were not representative of the entrenched rave or commercialised dance club culture. According to Donaghy, Wood had used ecstasy once at a rave prior to the Apache party, had occasionally used marijuana and had "probably experimented once with speed" (ibid: 73,96). The decision, with her friends, to attend the Phoenician Club did not seem to befit a pattern of illicit night time leisure activities. Analysis of subcultural deviance from both academics and moral entrepreneurs often derive from similar desires to invest the subversive moment with subversive intent. The canon of Birmingham School scholars - Hebdige, Young, Frith, Cohen, Clarke, Hall - were informed by an ideological belief in the self-reflexivity of youth behaviour, that the "representational aspects of youth always symbolised something larger than themselves" (Gelder, 1997: 89). The dual illegality of ecstasy use at a rave on licensed premises can be regarded as a tool with which to demarcate school and home responsibilities. The itinerant connection to a *commercialised* dance culture which symbolised their leisure activities of Wood and her friends seems in this respect more a study of apolitical pleasure, approximating Redhead's "hedonism in hard times" approach (1993: 4).

It has been often observed that youth exist not only as a social category, but symbolise a "psychological category of people who are at a moment of change; [where] a gap exists between two discourses, that of irresponsible subservient childhood and initiative-taking adulthood" (Rietveld, 1993: 52). This transitory zone of responsibility became a significant motif employed by the media and government

in the panic. The *Daily Telegraph Mirror* front page which galvanised parliament consisted of a photograph of Wood in school uniform (see Figure 1):

*Her face was enchanting ... It wasn't just that she was pretty, it was that she had a very fresh innocent face and very lively eyes. If she had come from [the western suburbs of] Mt Druitt and looked like that, we would have gone with it just as big (Daily Telegraph Mirror journalist Lucinda Duckett cited in Hunter, 1996: 4).*

The school uniform photograph, subsequently used in all media reportage, came to symbolise more than the tragedy it so obviously was. It served as a stark alternative in television attempts to capture aging Phoenician Club directors in attendance at the Licensing Court in the dichotomy of lost youth and remaining offenders. As a permanent construct of innocence, the image was immediately adopted by the Anna Wood Drug and Alcohol Project organised by the AMA, with the accompanying theme of 'Just Say No' as a unifying pedagogical symbol.<sup>12</sup> The *Daily Telegraph Mirror*'s October 26 heading stated 'How a teen's night out became every parent's nightmare'. Its sister paper the *Sunday Telegraph* continued with pictures of Wood and her friends at play accompanied by the heading 'Portrait of a happy girl' (*Sunday Telegraph*, 29/10/95: 9). The school uniform snapshot, supplemented by reminders of immediate family contexts, provided the defining focus of mainstream concern, or as Hebdige states in another context, the "threat to the family was made 'real' (that could be my child!) through the ideological framing of photographic evidence which is popularly regarded as unproblematic" (Hebdige, 1983/1997: 133). The processes of panic were repeated in very similar circumstances in South London in November with the death of Leah Betts, a college student of middle class origins who had taken ecstasy at her eighteenth birthday party at home. As with Wood, a family photograph was used in subsequent billboard and school education programs. In such instances discerning between innocence and criminality remain problematic in the prosecution of an 'innocent' middle class of consumers. The Betts and Wood media panics were similar in attempts to mobilise consensus regarding correct policy procedures. British mainstream newspapers such as *The Independent* advocated harm minimisation strategies and decriminalisation of ecstasy, while some police also supported decriminalisation for consumers (Collin and Godfrey,

1997: 296-299). A similar debate regarding alternative strategies was not to be found within the Australian mainstream media; realistic appraisals of contemporary youth drug practices continued to exist only within the street media.

### Policy Responses

The material effects of Wood's death upon existing youth entertainment have been briefly documented above. The most explicit response is embodied in the State government's Draft Code of Practice for Dance Parties. Its intention to legitimate commercial sites and outlaw illegal ventures is clear in its stated duty to assist "*professionally* organised, legal and hassle free dance parties in *suitable* locations" (my emphases) (NSW Ministry of Police, 23/4/97: 3). This is reinforced in the 'advice' to use the term 'dance party' in preference to 'rave', which has a "negative and pro-drug reputation ... the image it reflects will not help in getting the needed approvals and consents" (ibid: 8). The Code embraces a clear emphasis on harm minimisation of youth dance practices: needle disposal instructions for staff; prohibiting venue re-entry to curb drug dealing; recommendations for a 'chill-out' area within venues; posters detailing correct responses to drug abuse; and the provision of free tap water at all events (ibid: 7-16).<sup>13</sup> This entailed an admirably progressive response from the more instinctive policy formulation, and at considerable distance from the Premier's parliamentary statements on the 25th of October 1995. The Code is also designed to disrupt the inherent rave ethic of a politics of appropriation. The technical processes of compliance (council, police, Licensing court approval coupled with ambulance, insurance, health department and transport arrangements), envisaging 60 days' organising time, discourage smaller, ad hoc guerilla events. The formalisation of dance events produces a circular economic rationale familiar to the rock music industry, where increased organisational costs to meet technical efficiencies are offset by an increase in the size of venues and audiences. In regard to the time and effort in conforming to a range of authorisations, smaller promoters and events are disadvantaged in an ascending hierarchy of legitimacy. An increasingly privileged use of space for exchange relations serves to dilute other uses and intentions. Standardisation to secure compliance and, importantly, safety, may also produce an enduring aesthetic of conformity:

*As events cost more and more to hold because of the increased number of regulations to obey, promoters will turn to the more commercially accessible DJs and live acts in order to ensure that they draw enough crowd to meet their own costs ... It may come as a surprise to the Government and the economic rationalists that, within the close-knit 'underground' scenes promoters do not cut corners to make higher profits but simply to make their events affordable to crowds. With no commitment to encouraging councils to provide low-cost venues to small-budget amateur promoters there will be no more Vibe Tribe-style events, no more Bunker parties, no more Virtual Bass-style events, no more Levelhedz under these proposed regulations (Yellow Peril, 1997: 87).*

The State government's Youth Entertainment Program, including the Draft Code of Practice for Dance Parties and minors entertainment legislation, also established a Youth Entertainment Pilot Project, designating \$35 000 to subsidise under-18 functions, including hotels and clubs.<sup>14</sup> The Minister for Gaming and Racing also launched an alcohol-free entertainment promotional strategy during Youth Week with the 'I Can Be Me Alcohol Free' slogan. Significantly, the accompanying logo, designed by a 16 year old schoolgirl, depicted a cartoon portrayal of two youths wearing caps back to front. The campaign (logo) was indicative of a more realistic acknowledgement of youth leisure needs and practices. It also represented a practical endorsement of how youth identified themselves. The outward appearances of distinction, previously used by the then Opposition Leader to signify deviancy, were now incorporated as an inclusive message of acceptable difference. The 'Youth as Other' strategies employed throughout the 1995 election campaign, and the problematic delineation of criminalisation/victimisation after Wood's death, had been replaced with a pragmatic understanding of dance practices. This strategic shift reflected similar changes in Britain; Collins and Godfreys' assessment of current British governance are applicable to current NSW policy which similarly involves " ... a delicate political balancing act, introducing a liberal tone that emphasised the role of health and education at the same time as reassuring the public that law enforcement was still the priority" (1997: 300).

One of the obvious functions of this article has been to contextualise a series of leisure practices and to place in question the seemingly 'common sense' nature of events within a modified panic framework. The final exercise lies in the examination of what Cohen (1973: 31-38) labelled the "Exaggeration and Distortion" phase in regard to the nature and type of illegal activities found established within the Apache functions. Differing discourses of value were established between Phoenician Club behaviours and standardised registered club practices. The complaints established, by their nature and regularity, can be placed within the leisure practices (encompassing hotels, restaurants and clubs) in regard to the observance of the Liquor and Registered Club Acts. Many of the Phoenician breaches were 'charge and summons' offences commonly found in the Department of Gaming and Racing's register of offences for all NSW licensed premises in 1995.<sup>15</sup> It is interesting that a Northern Beaches police covert investigation ('Operation Alcohol Crime') conducted one month after Anna Wood's death observed 50 minors-related offences over a 3 day period (Liquor and Gaming Legislative Bulletin, December 1995). Amendments to the Liquor Act and the Registered Clubs Act in December 1994 provided police with an extension of offences relating to minors. From the period of the 1st of December 1994 - 3rd November 1995, 976 Penalty Notices were served (ibid).<sup>16</sup> The specific nature and number of drug offences within licensed premises are not available in a coherent form, yet the above statistics confirm, at the very least, to place the Phoenician Club (pre-1996) within an extensive commercial culture of negligence and impropriety consistent with local night time entertainment economies.

#### Final (Re)Developments.

And what of the Phoenician Club? In the absence of a 'smoking gun' linking Wood's death directly to the premises, the courtroom battle became a "hyperlegal" (Redhead, 1995: 111) contest of the excesses of black letter law. Explicit (and well founded) concerns regarding a variety of technical breaches belied an implicit agenda (cf. Chevigny, Clarke) of moral indignation. Indeed, a former Secretary of the Club, Ted Tame, has labelled the court action as a "lifestyle bust", describing the dance parties held at the Club in the early 1990s as "drug parties" (interview,

9/9/97). In convicting the Club in 1992 for admitting 200 non-members, Tame believes the events were similar to the Apache functions in regards to overcrowding and the level of drug usage by patrons. As the Club's solicitors point out, the difference in disciplinary action between 1992 and 1995 derive from explicit State intervention:

*The case so far as the Club is concerned is a very technical one. I suspect that the licensing authorities are trying to spread their net a bit wider. They're continuing to ask questions at the Club about other things, unrelated to other things. As you know, it all stems from the death of Anna Wood. They can't pin the death of Anna Wood on anything the Club's done, but they're trying to do the next best thing, and the problem arose because the Premier leapt into print saying that the Club was going to lose its licence. And the licensing authorities are saying 'easier said than done, but we'll do our best'. So I think it's driven from the need to prop up the Premier's statement (Phoenician Club solicitor John Ralston, interview 5/3/96).*

The Club's number and scope of breaches of the Registered Club Act 1976 embodied an accompanying strategy by the government familiar to litigants. If unsuccessful in closing the club on the strength of observable breaches, the length and costs of due process may achieve similar results. As observed earlier, dance functions were viewed by the Club as crucial in restoring the venue's economic stability and reversing an operating loss of \$100 000 for 1994. After the Apache functions, the Court noted that "perhaps under some pressure from the Director of Liquor and Gaming", the Club did not provide entertainment of a similar kind for 18 or 19 months (Director v Phoenician Club, 12/5/97: 4,6). This loss of entertainment revenue was compounded by the Court's decision to suspend its functions authority for six months, which amounted "in practice to a two year suspension" (ibid: 6) of a vital income source. Noting that creditors would be left unpaid and the subsequent unemployment of casual staff, the Magistrate opted to impose fines of \$100 000 in place of cancellation of the club's certificate of registration. He also stated that possible closure of the club would be "unfortunate" and was not the intention of the fines imposed (ibid: 5). After representations from the Club of the difficulties in paying the fine, the Magistrate allowed monthly instalments of \$10 000 from June



1997 (ibid: 10). Appeals regarding the decision were lodged by both parties. The Club stated that the monetary penalties and suspension of Club President Mercieca were excessive. The prosecution urged the cancellation of the Club's certificate of registration, increased monetary penalties, a longer term of suspension for Secretary Trevithick, and a 10 year suspension for President Mercieca. With new legal representatives, the Club accepted the original judgement, stating that it had used its cash reserves, and could not keep trading for much longer. The site required extensive alterations to change entry procedures, which the Club stated was not feasible, given that it was now on a monthly lease from South Sydney Council (author's court notes, 18/9/97). A reduction in fines, it was argued, would enable the Club's survival. The Club also stated that it was exploring the possibility of amalgamating with the Melita Eagles Soccer Club, in relocating in the western suburbs of Parramatta.

In its appeal decision, the Full Bench of the Licensing Court reduced the previous monetary penalties imposed upon the Club to \$15 000, and ended the suspension of the Club's functions authority (Disciplinary Complaints ...16/12/97). In noting the "borderline solvency status" of the Club, its relatively unblemished trading record and expression of contrition in respect of licensing breaches, the Licensing Magistrates believed the Club had suffered enough. The deterrence through exemplary sentencing sought by Premier Carr in the form of the Club's closure was not achieved. Here the rational legal processes seemingly prevailed over more emotive discourses derived from authoritarian populism. Yet the legal proceedings have imposed significant changes in Phoenician Club practices. The rock band and dance party policy has been replaced with Friday night swing bands and plans to establish discos for over 45s (interviews with Club Board members, 27/3/98). Continuing Licensing Squad surveillance regarding operation of entry registers and entertainment (ibid) has no doubt influenced the shift away from youth entertainment.

The Phoenician Club site remains a unique cultural space within Sydney's cityscape. It stands as a signifier of the historical disjuncture between local live music's glorious past and uncertain future, as one of the few larger venues to survive the regulatory and cultural shifts of the previous decade. As one of the few medium-size venues

remaining in Sydney's Central Business District, it has played an important role for performers and promoters seeking a comfortable alternative to smaller pub venues or unprofitable larger spaces (eg. the Sydney Entertainment Centre or Cricket Ground). For a much diminished live rock community, the ecstasy panic correlated with the immediate viability of the live music industry. The following typified the industry's response to the threatened closure of a favoured venue:

*... in order to score cheap political points [Premier Carr] has decided to jump on a band wagon and not allow the Phoenician Club to hold any functions. Closing down the club will not stop drugs being sold in schools, clubs or on the street. Education about drugs is what is needed. The Government's actions reek of cynicism. On Monday an announcement was made that a \$500 000 scheme to revive Australia's live music scene, Labor Minister of Communication and the Arts] asked yesterday 'What can we do about the lack of venues?' Keeping them open would be a good start Mr Lee ... response to this tragedy has been a knee jerk and illogical one. There are only a handful of venues left in Sydney and we cannot afford to lose the Phoenician Club (Band manager Mick Mazzone, letter to editor, *Drum Media* 7/11/95).*

Subcultural concern shifted to a pragmatic politics of survival for promoters and audiences within the new commodified regulatory landscape. On the 19th of July 1996, Australia's first purpose-built dance venue 'superclub', Sublime, opened for business. The crackdown on illegal ventures had discursive and practical effects:

*Parties are smaller and promoters find it extremely hard to find adequate venues ... The scene abounds with parties claiming to return you 'to the good old days' ... Raves are now considered by most figures in our dance culture as its embarrassing offshoot - dodgy parties with 'bad' music littered with drug-addled 16 year olds (Park and Northwood, 1996: 6).*

Yet the effects of the panic also caution against portraying a uniformity of legislative response and its effects. At the precise moment of the NSW Premier questioning the livelihood of the Phoenician Club, federal Labor government initiatives were

announced to aid live venues. Federal government funding represents one form in which the Australian live rock culture has been incorporated within broader cultural policy frameworks, and the extent to which it is now part of approved leisure practices, as an *industry* worthy of support. As a loose coalition of scenes, event strategies and promoters, the dance scene has adopted the contemporary mantle of unapproved folk devil. The Phoenician Club hearings signify the shift in the youth-government nexus of misperception; rock and roll has been dethroned as the 'uncontrolled Other' of Australian music practice. Or perhaps, as Lumby (1997: 41) has suggested, in marking "a point of transition or becoming", panics provide a useful shifting point towards recognition.<sup>17</sup>

### Conclusion

Clarke (1982: 32) has observed that "technical arguments about the feasibility of [rock] festivals in regard to siting ... constantly spill over into moral debates about drugs, sex, disorder and degeneracy". As an inversion of this process, the social unease which erupted after Wood's death was channelled into legal challenges regarding the feasibility of the Phoenician site to continue as a registered club. In this particular instance, the impending threat which the tabloid media represented to youth dance subculture was not the release of 'knowledges' of implicitly forbidden practices into the mainstream, but the very real possibility that such practices may be explicitly forbidden. While "a tabloid front page, however distorted ... can turn the most ephemeral fad into a lasting development" (Thornton, 1995: 117), it can also emerge as the defining moment of legislative retribution. The connective transfer of concern into action between the *Daily Telegraph Mirror's* front pages of the 24th-25th of October and the Premier's parliamentary statement on the 25th of October 1995 cannot be understated. Anna Wood's death can be easily inserted within previous public references of indulgent/criminal youth established before the 1995 election. Indeed, her death seemingly confirmed the binary paternal/punitive election rhetoric employed by both parties. Further, this study exemplifies not only political control, but politicisation of control: an articulation of panic responses as electoral strategies. If (the elimination of) risk has become a "dominant motivation for [urban government] reform" (Lewi and Wickham, 1996: 61), the differences between the 1992 and 1995 disciplining of the Phoenician Club's similar behaviours reveals the discursive judgments of 'risk' according to external contingencies.

The study also highlights the continuing problems in incorporating various music practices within the surveillance of the state. The inclusion of rave/dance cultures within the more traditional registered club culture obviously brings into question former meanings of a 'dance', or to dance, and the appropriateness of legislative attempts to create a presumed homogenous 'overground' scene. Clearly, the technical observances of 'belonging' within registered club culture (temporary memberships, signing of registers which symbolised the court proceedings) are meaningless within the symbolic discourses of 'belonging' valued by ravers. As a further example of the law not knowing its subject (Redhead, 1993), the case study can be placed within the historical misunderstandings of governments in regard to youth leisure practices. At a time of widening youth surveillance, when the spaces of youth leisure are increasingly monitored and/or commercialised, raves - even those within registered clubs - assume a resonance in challenging attempts to render youth leisure invisible beyond its commercial forms.

The panic has other consequences for the policing of raves where, to cite Chevigny, the restrictions shape the music (1991: 82). The costly moral and legal processes instigated against it has produced the removal of youth entertainment policies from the Phoenician Club. As also observed, court proceedings brought against the Club served a broader symbolic deterrent for those venues proposing similar dance events. In a similar manner, the Draft Code of Practice firmly favours dance music practices easily incorporated within the State's gaze. Further, legal doctrine monopolised youth's own discourse in removing the essential binding sign (in this instance, 'raves') of private oppositional referents and images, and re-asserting a public, commercial equivalent ('dance parties'). The Code embodies a familiar strategy where policing failures lead to more policing as legal governance (Hunt and Wickham, 1994).

The case study is also instructive in the complex and often contradictory effects of panic regulation. The paradoxical nature of the state's response in this instance of exemplary punishment of the 'deviant' source (the Club) and harm minimisation (Draft Code of Practice) represent counter-productive strategies. The moment of clearing legislative obstacles to youth entertainment on licensed premises collided

with the prosecution of a registered club as exemplary deterrent to licensed premises. The reluctance of (dance, rock, nightclub or hotel) venue owners to engage in the type of all-age events envisaged by the Premier stems from the effectiveness of the Phoenician prosecution as a mechanical articulation of consensus politics. Examining the enduring effects of such strategies provide a framework for investigating how moral spaces, knowledge-power relations, impose upon physical social spaces of production and consumption.

It has been asserted that the classic panic model is inadequate in explaining the conditions predetermining the patterns of behaviour which provide the focus for moral unrest (eg. Bessant, 1991). It can equally be said the Cohen model remains disinterested in the long term effects of state intervention. It is interesting in the context of this study that reportage of the appeal decision of the 16th of December 1997 did not appear in any mainstream or music media. One can speculate upon the reasons: the media's reluctance to engage in lengthy (two year) court hearings, the tabloid obsession only with the initial dramatic event. A fundamental reason for such media silence, I believe, lies in the absence of a neat conclusion of juridical and political powers. The panic logic of cause and effect sought by the Premier instead revealed a more complex interplay of discourses. It is clear also that despite tabloid efforts, the panic transcended the usual reductive processes of singular demonisation. As the panic unfolded, the 'problem' appeared to be situated much closer to dominant binding familial frameworks. To assume Cohen's phrase, the wider issues originating from the panic, upon subsequent examination, could not be 'polarised'; middle class youth, sanctified as potential victims, also remained part of the 'problem'. The combination of legislation and incorporation (commercialisation) did not result in increasingly deviant behaviour, although it did serve to confirm the foundations of the panic.<sup>18</sup>

Finally, I believe this particular case study can be usefully inserted within the ongoing (Australian) debates regarding the contexts and meanings of popular music studies (cf. Maxwell, 1997; Murphie, 1998; Chan, 1998; Johnson, 1998). Studies of the kind outlined above elucidate the connections between political - legal discourses and performance practices/anxieties. That is, the spatial and regulatory framing of performance practices represent a productive field of inquiry grounded in the

collective processes of production. Or, as Frank Zappa (in Volpacchio, 1991: 125) reflected, "How can a person be concerned about atonality versus tonality when the real question is how do you get anything played ?"

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<sup>1</sup> Gibson (1997) has defined raves as "the discrete scenes of informal and irregular underground dance parties". As observed later, the term is also sometimes used to denote more formal, regulated dance events within club scenes.

<sup>2</sup> A debate also occurred regarding the specific nature of Wood's death, and the conflicting evidence in regard to causes. Deputy Coroner John Abernathy's autopsy report stated that Wood died from hyponatraemia - an excess of water and lowering of sodium levels which led to swelling of the brain as a result of ecstasy consumption. However, the post-mortem report of pathologist Dr Paul Botterill observed that "the precipitant event [of death] is not clearly established" (Greenland, 1996: 5). These discourses-of-pathology are peripheral to the central construction of the panic, apart from their enlistment in the moral rehabilitation of ecstasy as a central component of raves. It is important to note that the Deputy Coroner observed that the State government "through the office of the Premier, is urging me to finalise the matter" (ibid).

<sup>3</sup> The Director of the NSW Bureau of Crime Statistics and Research, Don Weatherburn, confirmed that offences most commonly perceived to be committed by youth - car theft, assault, enter and steal, property damage - had all decreased in the period 1991-1993. Juveniles appearing in court for offences against the person and property damage had fallen within the same period: 'Truth the first election casualty', Sydney Morning Herald, 28th November 1994 p.5.

<sup>4</sup> In their study of law and order campaigns, Hall et al (1978) noted the discursive uses of the term 'mugging' from the U.S. to denote the incidences of robbery with violence in Britain. In similar forms, the Australian media's adoption of the North American term 'home invasions' was a useful symbolic classification for Opposition politicians in increasing doubts upon the safety of the family home.

<sup>5</sup> Much of the Club's recent history here is derived from South Sydney (SSC) and Sydney City (SCC) Council files obtained under Freedom of Information legislation throughout 1996/1997.

<sup>6</sup> This capacity comprised of 696 people permitted within the auditorium and other ground floor staff areas, and a further 84 within the first floor's balcony: SCC Properties Sub-Committee Minute Paper, 30th May 1995.

<sup>7</sup> *Daily Telegraph Mirror* heading, 25th October 1995, p5.

<sup>8</sup> The prosecution labelled the Club's functions register as a "sham document", accusing Club staff of obtaining written Board of Director's approval for all functions only after inquiries by Liquor and Administration Board investigators. The written approval of a club's Directors for each function is detailed within the Registered Clubs Act.

<sup>9</sup> The Sydney Morning Herald reported the Club "faced more than 70 alleged breaches" (5th June 1996). Television news on the same day also emphasised the large number of breaches, which were subsequently reduced to avoid repetition of offences.

<sup>10</sup> *Telegraph Mirror*, 24/10 p.1; Sydney Morning Herald, 26/10, p.13; Sunday Herald, 3/12 p.1; Sunday Telegraph, 4/3 p.38; Who Weekly, 3/6 pp.46-56.

<sup>11</sup> Thornton's term derived from Bourdieu's 'cultural capital' describing the means with which youth acquire status and demarcate their values and experiences from the mainstream: see Thornton (1996: 11).

<sup>12</sup> The Project was co-sponsored by several tabloid media: the Daily Telegraph, Channel Nine's A Current Affair, Sydney radio station 2UE and the weekly magazine Women's Day.

<sup>13</sup> A National Drug and Alcohol Research Centre study of dance venues found venues adopting various dangerous strategies to discourage the drinking of tap water to increase the sales of bottled water over the bar. See Delvecchio (1997).

<sup>14</sup> \$20 000 was allocated for a consultants' report on the efficacy of the scheme; \$15 000 was allocated to subsidising sanctioned minors' entertainment.

<sup>15</sup> Statistics compiled by author from Liquor and Gaming Legislative Bulletins, January-December 1995, Department of Gaming and Racing.

<sup>16</sup> *ibid.* The 5 most common offences were supplying liquor to a minor; minor in restricted area of a hotel; minor using false evidence of age; persons obtaining liquor on behalf of a minor; minors providing false information.

<sup>17</sup> I am mindful here of Foucault's knowledge-power axis, in which knowledge of the objects of governance are only achieved through governance (see Hunt and Wickham, 1994: 87).

<sup>18</sup> Reports did, however, surface of boasts by youth of taking 'the drug that killed Anna Wood'; for example see Donaghy (1995: 216).