

# noctambul@s

Night owls. Qualitative research on the relationship between drug use and sexual abuse in the nightlife

Third annual report  
**2015/2016**



SECRETARÍA DE ESTADO  
DE SERVICIOS SOCIALES  
E IGUALDAD

DELEGACIÓN DEL GOBIERNO  
PARA EL PLAN NACIONAL SOBRE DROGAS



## INTRODUCTION

**Noctambul@s Observatory** intends to collect up-dated information on sexual violence in night leisure settings linked to drug use. The Project was designed by the **Health and Community Foundation** in 2013 and has since been funded by the **National Plan on Drugs**. The present report is the result of the work carried out by the Noctambul@s Observatory in the past academic year 2015-2016. From the beginning of the project, the Observatory has published several annual reports about the results found and the present work will be the third annual written report. To view **previous reports**, you can enter <http://www.drogasgenero.info/noctambulas/informes/>.

Recently, attention by the media to sexual assaults in leisure settings has increased exponentially. That is why we think that it is especially necessary to explore and make an in-depth analysis of this problem and the answers found. Therefore, in this report, we wanted to address new dimensions of this phenomenon such as legal, **medical and media discourses on sexual violence in leisure settings**. At the same time, we have expanded the field work using **quantitative techniques** to cover more significant samples and draw more representative conclusions.

The annual report describes the five thematic areas that address different key issues in the analysis of sexual violence in nightlife settings and drug use: legal, medical, nightlife, media and advertising and prevention areas. The report begins with a section on **methodology** that explains the techniques used in relation to each thematic area. The first thematic area, the **legal area**, explores the evolution of the discourse around criminal law and sexual violence as well as the evolution of Spanish legislation. Some critical reflections are made about the approach of these crimes in the Spanish context. The **medical area** analyses the health framework in the context of sexual violence and the main numbers collected by health professionals. **Night leisure settings** are depicted from the users' point of view. In this case, what is analysed is the discourse on the social perception of sexual violence in these settings and the role given to drugs in these crimes. An analysis is made of the main tendencies **in the media** in covering this problem and the evolution of the sexist discourses in the advertising of night time leisure. The last thematic area addressed is **prevention** in which we have mapped the main initiatives mainly carried out by local administrations during their town festivities. The report ends with a chapter of **conclusions** in which we pose some final thoughts

on the issue of sexual violence in nightlife settings and the most relevant future challenges for the Noctambul@s Observatory.

## **CONCLUSIONS**

Noctambul@s Observatory's main objective is to investigate sexual violence in night leisure settings and drug use. To this end, different qualitative techniques of fieldwork are developed during the year that are collected and analysed in an annual report. This is the third edition of the Observatory and it has focused especially on the legal, medical and media discourses that address these realities, night time leisure users' speeches and trends in the field of prevention.

### **THE OVER-DIMENSION OF PREMEDITATED CHEMICAL SUBMISSION IN GENERAL AND OF ESCOPOLAMINE CASES (ALSO KNOWN AS "BURUNDANGA") SPECIFICALLY**

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If in previous editions we highlighted the alarmism in the cases of chemical submission through burundanga, in this report we point to the over-dimension of this form of sexual violence. The vast majority of sexual violence in nightlife settings is not related to abusers who use substances intentionally to abuse their victims but to sexual harassment, persistence against a refusal, unwanted touching, and so on. The fact that all the attention is placed on sexual violence against women who have been drugged affects this idea that really serious and alarming sexual violence is exercised against women who cannot defend themselves, who have been intoxicated against their will. The focus on chemical submission reveals that in some way, in the social imaginary, women who have been intoxicated are considered to be more of a victim than the others because they have not been able to refuse or defend themselves and so they deserve our indignation and alarm. These ideas once again have a bearing on differentiating between good and bad women and somehow blame women for much of the sexual assault.

### **IT IS STILL ABOUT ALCOHOL**

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As we pointed out in the previous report, alcohol is the substance present in the vast majority of situations of harassment and sexual violence. In addition, it is mainly about women's voluntary consumption, a fact that will later play a key role in the

accountability of victims, because unlike the previous ones, they have decided to drink and somehow lose control.

#### THE PREMEDITATED/OPPORTUNISTIC PAIR

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The categories premeditated/opportunistic were proposed by the Council of Europe to establish differences in situations of chemical submission. On the one hand, the premeditated or proactive would be those in which the aggressors intentionally provide a substance that makes the victims lose their inhibitions. On the other hand, the opportunistic refer to those in which the sexual assaults occur with a person practically unconscious due to voluntary consumption of substances. As we advance in the field work we realize that this dichotomy between premeditated and opportunistic is a practical but simplistic way of approaching a more complex reality. Mainly, we see that regarding opportunistic chemical submission, there may be an intentionality on the part of the abusers that their victims consume great amounts of substances, usually alcohol. This does not imply that the victims' consumption has been involuntary and coercive, but it reveals that opportunism is not exempt from premeditation.

#### IDENTIFYING ONESELF AS A VICTIM: FROM NORMALISATION IN WOMEN TO HYPERSENSITIVITY IN MEN

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Both in our pilot quantitative questionnaire and in other investigations analysed, we observe that when asked about the fact of having been sexually abused in a night time setting, in some cases women's and men's results are not so different. It is important to give an explanation to this phenomenon because, otherwise it could easily be instrumented to put violence against men on the same level as violence against women in these contexts and to question that one can speak of sexism to refer to this violence. From our point of view, these results are related mainly to two factors. Firstly, the high degree of normalisation of sexual violence by women in these settings, especially low-intensity violence. Therefore, when asked about their perception of being abused, much of the harassment, persecution and unwanted touching are not taken into account because they are somehow part of the normal life of nightlife settings. Secondly, men are much more sensitive to sexual violence because they experience them much less frequently and therefore any form of sexual harassment, even of low intensity, is quickly identified as violence. In summary, we think essential to consider these factors when designing the questions and the categories of response in the field

work and especially when interpreting the results. Otherwise, one may understand the opposite of what is really happening.

#### GHOST ABUSERS

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Another phenomenon, which is present in the perception of sexual violence in these settings, is that practically no man is recognized as an abuser. On the one hand we have many accounts of women who explain having lived experiences of sexual violence and on the other hand we have almost all stories of men who claim never to have harassed or sexually assaulted any woman. Without questioning why they do it, some of the parts hide something. In our view, the most plausible explanation is not that they oversize sexual violence (in fact, it is rather the reverse), but that men either do not identify it or identify themselves with it. We think this question is one of the most interesting keys to take into account to eradicate sexual violence in leisure nightlife.

#### CONSENTED SEX VS. WANTED SEX

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Like the question of sexual violence, we think it is important to reflect on the concept of sexual consent. Given the recent social acknowledgement of the problem of sexual violence, it is key to focus the debate on what is understood by sexual consent and on what men and women understand separately. Today, we see how many preventive campaigns insist on the "no is no" motto to claim the need for an agreement between two people in a sexual encounter. However, beyond that necessary message, the truth is that in most sexual encounters there is no explicit and literal negotiation of the yes or no but rather a series of nonverbal codes. For all that, it is key to approach with complexity what consent means and how it is constructed. Following this line of thought, in our fieldwork various quotes invite us to go further and to ask ourselves if both the desire to have a sexual encounter and consent to it go together. A small but significant part of the accounts of some of the girls in our fieldwork refers to having consensual sexual relationships but not really desired ones. In other words, they didn't refuse to engage in these relationships but they really did not feel like having them. In order to build a free, safe and healthy sex culture, we think that beyond the fact that sex is consented by both parties, it should also be desired. That is to say, it is possible to take apart the gender mandate that women cannot say no or should not frustrate the expectations or needs of the other.

## SAN FERMINES EFFECT

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The last idea that we want to emphasize in these conclusions is the wave of preventive campaigns developed lately, mainly during summer, to fight sexual violence in the town festivities. In this sense, we think that the campaigns in Pamplona during the San Fermes have somehow influenced other local administrations that in turn have encouraged this debate during their festivities. The challenge is to start influencing the commercial night leisure used by people during the year, apart from the festivities that take place at a specific time of the year.

## PROPOSALS FOR PREVENTION AND INTERVENTION ACTIONS:

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In view of this reality, there are multiple actions to be developed, some aimed at giving better answers to situations of aggression and others aimed at trying to avoid them.

- **Responsible actions for the public administration:** many of the campaigns carried out today in relation to sexual aggressions linked to night leisure have been organized by feminist entities which may have an important role but not the responsibility of responding to a social problem of this magnitude.
- **The role of the media** is essential especially in the normalisation and poor display of these situations and the perception that both men and women have of this type of situations, which significantly influence our behaviours and our actions.
- **Involving the private nightlife sector:** it is crucial to reduce the sexist image of the night and implement intervention protocols before the situation of sexual abuse in their clubs and other settings.
- **Questioning those who abuse and those who witness the scenes of abuse.** It is necessary to turn around the preventive speeches and direct messages and arguments that address the question of collective responsibility in the eradication of this violence.