

STREET LAW



EDUCATION KIT

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For more information about the Street Law project and Youthlaw go to www.youthlaw.asn.au or contact (03) 9611 2412 or education@youthlaw.asn.au

About the Street Law Education Kit

The Street Law Education Kit is designed to help youth workers, teachers, lawyers and other professionals educate young people about their rights when dealing with police and Protective Services Officers (PSOs) in Victoria with reference to the Street Law video series.

The Education Kit sets out discussion points and activities appropriate for groups of young people age 12 and above. The discussion points and activities can be used in both formal educational settings (including secondary schools and VCAL) as well as less formal or smaller group settings.

PLEASE NOTE: The legal information contained in the Education Kit is based on the laws in Victoria as at 1 July 2014 and it is not a substitute for legal advice. For information about seeking legal advice from Youthlaw, go to www.youthlaw.asn.au.

How do I use the Street Law Education Kit?

Each topic has its own Session Plan and topics can be covered in no particular order. You can pick and choose which topics you want to cover, running as many or as few of the sessions as you choose depending on the time you have and the needs of the group. The resources you need are listed at the top of each Session Plan. Each session takes approximately 30-40 minutes. The sessions are divided into two parts and each part takes approximately 15-20 minutes.

Part I – Discussion:

Part I of the Session Plan directs you to watch the relevant Street Law video with the group and then read through the relevant Legal Info page at the URL listed in the Resources section. Depending on the group's level of literacy and understanding, you can either refer young people to read through the Legal Info page independently or you can go through the content together.

After you and/or the group finish reading through the Legal Info page, the Discussion Points set out a series of questions to ask the group.

At the end of each Session Plan you will find a Model Answer Sheet to help you check the group's understanding of the content from their responses to the Discussion Points. The Model Answer Sheet lists correct answers where there is a right or wrong answer. For questions where there is no right or wrong answer, the Model Answer Sheet suggests a number of questions you can use to prompt discussion about issues related to the topics such as young people's rights, community safety and the use of public space.

Part II – Activity:

NOTE: You must complete Part I of the Session Plan before you proceed to Part II.

Part II of the Session Plan sets out a group activity to encourage young people to apply what they learned from the Discussion Points in Part I to hypothetical situations and to develop their own views on street-law related issues.

What if I don't have access to the internet or a projector?

Although access to the internet and a projector during a session is ideal, you can deliver all sessions as long as you have a DVD player, a TV/monitor and a copy of the DVD. A limited number of DVDs is available for order online at www.youthlaw.asn.au/street-law.

PDF versions of the Legal Info pages are available on each page for you to print and hand out if you and/or the group do not have access to the internet during the session. You can find the PDF version at the URL listed in the Resources section at the beginning of each Session Plan.

Please note: you will need the internet to access the PDF and some activity materials to print out copies beforehand.

VCAL Curriculum Mapping

The Discussion Points and Activities meet aspects of the VCAL curriculum as set out below. Some topics may require students to complete an extended version of the relevant Activity to satisfy the learning outcomes. Please refer to the 'Extension' section in the Session Plans for those topics.

Relevant Strands & Learning Outcomes:

Foundation Unit 1 – Personal Development Skills (PDS011)

- **Learning outcome 4: Solve problems specific to a simple activity or goal**
Students identify an issue or social problem related to an established activity or goal, explain possible solutions to the problem identified, contribute to an activity that is aimed at resolving the issue or social problem, reflect upon the effectiveness of the action taken to resolve the issue or social problem.

Foundation Unit 2 – Personal Development Skills (PDS012)

- **Learning Outcome 1: Identify the rights and responsibilities of individuals in a community**
Students discuss what it means to be a member of a community, list and describe characteristics of a diverse community, explore a social or cultural issue/s within a community, describe the importance of rights and responsibilities of individuals in a social context.
- **Learning Outcome 3: Communicate information about a social issue or community activity**
Students identify sources of information regarding a social issue or community activity, collect and interpret information about a social issue or community activity, communicate information and/or findings to others regarding a social issue or community activity, reflect on the effectiveness of the communication of the social issue or community activity.
- **Learning Outcome 4: Communicate effectively to resolve problems related to a social issue or community activity**

Students identify challenges that may arise within a diverse community, participate in discussion that requires expression of an opinion to other/s, identify causes of communication breakdowns, list problem-solving skills in an interpersonal exchange.

Intermediate Unit 1 – Personal Development Skills (PDS021)

- **Learning Outcome 5: Demonstrate interpersonal skills to communicate ideas and information**

Students identify characteristics of effective communication, identify and use strategies to avoid and/or resolve conflict, participate in discussions that require expression of an opinion to others, apply active listening skills to facilitate understanding, reflect on personal communication skills and identify areas for improvement.

Intermediate Unit 2 – Personal Development Skills (PDS022)

- **Learning Outcome 4: Manage problems related to a complex social issue or community activity.**

Students identify complex challenges that may arise within a diverse community, identify and evaluate a range of strategies to manage the problem, demonstrate problem-solving skills related to a complex social issue or community activity, apply decision-making strategies to resolve the problem.

Topic	PDS 011	PDS012	PDS021	PDS022
Orders to Move On and Stay Away: 'The Magician'		✓	✓	
Being Found Drunk in a Public Place: 'Walk of Shame'	✓ + see extension	✓ + see extension	✓	✓
Giving Police Your Name & Address: 'Pass the Salt'		✓	✓	
Weapons Searches: 'The Bikie Baker'		✓	✓	
Graffiti Searches: 'The Artist'	✓ + see extension	✓ + see extension	✓	✓

AusVELS Curriculum Mapping

The Discussion Points and Activities meet aspects of the AusVELS Levels 7-10 curriculum as set out below. Some topics may require students to complete an extended version of the relevant Activity to meet the AusVELS standards. Please refer to the 'Extension' section in the Session Plans for those topics.

Relevant standards:

- **AusVELS 7 & 8: Interpersonal Development: Standard - Building social relationships**
Students demonstrate respect for the individuality of others and empathise with others in local, national and global contexts, acknowledging the diversity of individuals. They recognise and describe peer influence on their behaviour. Students select and use appropriate strategies to effectively manage individual conflict and assist others in resolution processes.
- **AusVELS 7 & 8: Civics & Citizenship: Standard - Community engagement**
Students present points of view on contemporary issues and events using appropriate supporting evidence. They explain the different perspectives on some contemporary issues and propose possible solutions to problems.

- AusVELS 9 & 10: Interpersonal Development: Standard - Building social relationships**
 Students demonstrate awareness of complex social conventions, behaving appropriately when interacting with others. They describe how local and global values and beliefs determine their own and others' social relationships. They evaluate their own behaviour in relationships, identify potential conflict and employ strategies to avoid and/or resolve it.
- AusVELS 9 & 10: Civics & Citizenship: Standard - Community engagement:** students draw on a range of resources, including the mass media to articulate and defend their own opinions about political, social and environmental issues in national and global contexts. They contest, where appropriate, the opinions of others. They develop an action plan which demonstrates their knowledge of a social or environmental issue and suggest strategies to raise community awareness of it.

Topic	AusVELS 7 & 8: Interpersonal Development - Building Social Relationships	AusVELS 7 & 8: Civics & Citizenship - Community Engagement	AusVELS 9 & 10: Interpersonal Development - Building Social Relationships	AusVELS 9 & 10: Civics & Citizenship - Community Engagement
Orders to Move On and Stay Away: 'The Magician'	✓		✓	
Being Found Drunk in a Public Place: 'Walk of Shame'	✓	✓ + see extension	✓	✓
Giving Police Your Name & Address: 'Pass the Salt'	✓		✓	
Weapons Searches: 'The Bikie Baker'	✓		✓	
Graffiti Searches: 'The Artist'		✓ + see extension		✓

SESSION PLAN:**Orders to Move On and Stay Away****RESOURCES**

If you have internet access during the session	If you do not have internet access during the session
<ol style="list-style-type: none"> 1. Link to Legal Info page on 'Orders to Move On and Stay Away' at www.youthlaw.asn.au/street-law/move-on-orders/ 2. Print out and cut out the cards below. You need enough cards for each pair or small group of 3-4 young people to have a card to share. You can duplicate the cards if you need. (See below) 	<ol style="list-style-type: none"> 1. Street Law DVD – cue 'The Magician' 2. Printouts of PDF version of Legal Info Page on 'Orders to Move On and Stay Away' to hand out available at www.youthlaw.asn.au/street-law/move-on-orders/ 3. Print out and cut out the cards below. You need enough cards for each pair or small group of 3-4 young people to have a card to share. You can duplicate the cards if you need. (See below)

PART I – DISCUSSION

1. Watch 'The Magician' video on the Legal Info page or DVD from start to finish.
2. Then direct students to read over the Legal Info page or the PDF handout for 5-10 minutes. You can direct the group to read through the Legal Info page on their own or you can go through the content together.

As a group or in pairs, direct the group to discuss the following questions.

- (a) Why do you think the police officer ordered the magician to move on?
- (b) Why did the magician end up getting a fine?
- (c) Do you think it was fair that the police officer ordered the magician to move on? Why or why not?
- (d) If you were the magician, what would you do about the fine?

PART II – ACTIVITY

1. Break the group into pairs or smaller groups of 3-4. Hand each pair or group one of the cards below.
2. Direct the group to imagine they are police officers patrolling a train station who come across a number of different people, described in the cards below. Ask each pair or small group to think about the situation described on their card and decide whether or not they would issue a move-on notice in that situation if they were a police officer.
3. Give each pair or small group 5-10 minutes to discuss the situations on their cards and reach a decision by consensus.
4. Then direct each pair or small group to report back to the group what decision they made for the situation on their card and explain why they did or did not issue a move on

notice. If time allows, ask the whole group whether they agree with the decisions of the other groups and why or why not to encourage further discussion.

PRINT AND CUT OUT

<p style="text-align: center;">Card (1)</p> <p>A group of high school students listening to music really loud with speakers attached to their smartphones.</p>	<p style="text-align: center;">Card (2)</p> <p>Two guys who keep play-fighting and nearly hit an old lady by accident.</p>
<p style="text-align: center;">Card (3)</p> <p>A man who is acting strangely and keeps threatening to punch people passing by.</p>	<p style="text-align: center;">Card (4)</p> <p>A break-dancing group who are practising right out the front of the ticket gates.</p>

MODEL ANSWER SHEET: Orders to Move On and Stay Away**Part I - Discussion points:**

<p>1. Why do you think the police officer ordered the magician to move on?</p>	<p>To order the magician to move on and stay away, the police officer must have thought the magician:</p> <ol style="list-style-type: none"> 1. was a danger to other people 2. was threatening other people 3. may damage property 4. was there to buy or sell drugs 5. had committed an offence in the area within the past 12 hours 6. was getting in the way of other people or traffic 7. was “breaching the peace” or likely to breach the peace
<p>2. Why did the magician end up getting a fine?</p>	<p>The magician got a fine because he came back to the area, so he disobeyed the police order to move on and stay away.</p>
<p>3. Do you think it was fair that the police officer ordered the magician to move on? Why or why not?</p>	<p><i>Open discussion.</i></p> <p>Prompt with questions:</p> <ul style="list-style-type: none"> • Was the magician a danger to anyone or was there a risk he might damage property? • Was the magician getting in the way of other people or traffic? • Do you think he was disrupting or breaching the peace? What do you think ‘breach the peace’ means?
<p>4. If you were the magician, what would you do about the fine?</p>	<p><i>Open discussion.</i></p> <p>Prompt with questions:</p> <ul style="list-style-type: none"> • Would you pay the fine? • Could you afford to pay the fine? • What would you do if you thought the fine was unfair or you couldn’t afford to pay? • Would you try and find out more legal information or get legal advice? • What is Youthlaw and how would you contact Youthlaw?

Part II – Activity

Card (1)	<p><i>Open discussion.</i></p> <p>Prompt with questions:</p> <ul style="list-style-type: none"> • Were they disrupting the peace or likely to disrupt the peace? • Do you think different people might have different ideas on what is 'breaching the peace'? • What limits should there be on young people's behaviour in public? What do you think is fair?
Card (2)	<p><i>Open discussion.</i></p> <p>Prompt with questions:</p> <ul style="list-style-type: none"> • Were they a risk to public safety? • Were they likely to cause injury to someone? • Were they likely to damage property? • Were they 'breaching the peace' or likely to 'breach the peace'?
Card (3)	<p><i>Open discussion.</i></p> <p>Prompt with questions:</p> <ul style="list-style-type: none"> • Were they threatening other people? • Were they likely to cause injury to someone? • Were they likely to damage property? • Were they 'breaching the peace' or likely to 'breach the peace'? • What possible reasons could there be for the man to be acting strangely or aggressively? E.g. is he drunk? Does he have a mental illness? How should police approach someone like that?
Card (4)	<p><i>Open discussion.</i></p> <p>Prompt with questions:</p> <ul style="list-style-type: none"> • Were they disrupting the peace or likely to disrupt the peace? • Do you think different people might have different ideas on what 'breaching the peace' is? • How do you balance young people's rights to use public space with the needs of other people in the area? • What limits should there be on young people's behaviour in public? What do you think is fair?

SESSION PLAN:**Being Found Drunk in Public****RESOURCES**

If you have internet access during a session	If you do not have internet access during a session
1. Link to Legal Info Page on 'Being Found Drunk in Public' at: www.youthlaw.asn.au/street-law/being-drunk-in-public/	1. Street Law DVD – cue 'Walk of Shame' 2. Printouts of PDF version of 'Being Found Drunk in Public' Legal Info page to hand out available at www.youthlaw.asn.au/street-law/being-drunk-in-public/

PART I – DISCUSSION

1. Watch 'The Walk of Shame' video on the DVD or from the Legal Info page from start to finish.
2. Then direct students to read over the Legal Info page (or the PDF handouts if you do not have internet access) for 5-10 minutes. You can direct the group to read through the Legal Info on their own or go through the content together.

As a group or in pairs, discuss the following questions:

- (a) Why did the police officer take the person in the video away and put her in a lockup?
- (b) Do you think it was fair she got locked up? Why or why not?
- (c) What would you do about the fine if you were her?

PART II – ACTIVITY

Break the group into pairs or smaller groups of 3-4 people and tell the group the following:

"Imagine police in the local area are concerned about the number of young people they find drunk in public. They are thinking about getting extra police in to patrol the streets and more PSOs at local train stations. They want police and Protective Services Officers (PSOs) to target young people found drunk in public and lock more of them up to send a strong message that this behaviour is unacceptable."

"Imagine police have come to you, as a group of young people based in the local area, to ask for your advice on this new strategy. Do you think this strategy of locking more young people up for being drunk in public is the best way to deal with the situation? Can you think of other ways your community (through police, your local council or the state government for example) should try to deal with the problem?"

If the group may find it difficult to remember the key discussion points you can print out a copy of the boxed text and hand it out or write up the key points on a board:

- *Do you think locking more young people up for being drunk in public is the best way to deal with public drunkenness in the local area?*
- *Can you think of other ways your community should try to deal with the problem?*

Give each pair or smaller group around 5-10 minutes to discuss their answers and, if they can, reach a consensus. Then ask each pair or smaller group to report back to the group on what decision they reached and what other suggestions they came up with to help police deal with the problem.

Extension for VCAL PDS011

- If you came up with other ideas about how your community should try and deal with the problem, how would you go about making your idea happen? For example, are there particular people you should go and speak to eg your local police sergeant, your local council members, your local MP? Or are there steps you could take yourself eg organise a petition or organise a public forum?

Extension for VCAL PDS012 and VEL5 7&8 (Civics & Citizenship – Community Engagement)

- Look online for media articles about public drunkenness or excessive drinking and young people in your local area and/or Victoria more generally. Can you find media articles, statistics or ideas that support your point of view?

- **MODEL ANSWER SHEET: Being Found Drunk in Public**

Part I - Discussion points:

1. Why did the police officer take the person in the video away and put her in a lockup?	Police have the power to put someone into safe custody (i.e. a police cell) if they find them drunk or drunk and disorderly in public.
2. Do you think it was fair she got locked up? Why or why not?	<i>Open discussion.</i> Prompt with questions: <ul style="list-style-type: none"> • Do you think she needed to be locked up in a police cell for her own safety? • Do you think police could have dealt with the situation differently?
3. What would you do about the fine if you were her?	<i>Open discussion.</i> Prompt with questions: <ul style="list-style-type: none"> • Would you just pay the fine? • Could you afford to pay the fine? • If you thought the fine was unfair or you couldn't afford to pay, would you try and find more information or get legal advice? • What is Youthlaw and how would you contact Youthlaw?

Part II – Activity

Open discussion.

Prompt with questions:

- Do you think the risk of being locked up will stop young people from being drunk in public?
- Can you think of reasons why so many young people might be getting drunk in public in your local area?
- Do you think it's too easy for young people to get alcohol in your local area ?
- Do you think getting drunk in public shows someone has a drinking problem or is that just a normal part of being young?
- Do you think there are enough rehab programs or places where young people can get help if they have a drinking problem?
- Are there services or activities you can think of that might reduce the number of young people getting drunk in public?

SESSION PLAN:**Giving Your Name and Address****RESOURCES**

If you have internet access during a session	If you do not have internet access during a session
<ol style="list-style-type: none"> 1. Link to Legal Info page on 'Giving Your Name and Address' at www.youthlaw.asn.au/street-law/giving-police-your-name-and-address/ 2. Print out and cut out the cards below. You should have enough cards for half the people in the group so you may need to duplicate cards if you have more than 12 people in the group. (See below) 	<ol style="list-style-type: none"> 1. Street Law DVD – cue 'Pass the Salt' 2. Printouts of PDF version of Legal Info page on 'Giving Your Name and Address' to hand out available at www.youthlaw.asn.au/street-law/giving-police-your-name-and-address/ 3. Print out and cut out the cards below. You should have enough cards for half the people in the group so you may need to duplicate cards if you have more than 12 people in the group. (See below)

PART I – DISCUSSION

1. Watch the 'Pass the Salt' video on the DVD or from the Legal Info page from start to finish.
2. Then direct students to read over the Legal Info page (or the PDF handouts if you do not have internet access) for 5-10 minutes. You can direct the group to read through the Legal Info page on their own or go through the content together.
3. As a group or in pairs, discuss the following questions:
 - (a) **Why do you think police stopped and asked the person in the video for his name and address?**
 - (b) **Did police have a lawful reason to ask for the person's name and address in that situation?**
 - (c) **What rights did that person have when police asked for his name and address?**
 - (d) **What would have happened if that person refused to give his name and address or gave police a false name or address?**
 - (e) **Do Protective Services Officers (PSOs) have the same powers to ask for your name and address as police? How are their powers different?**

PART II – ACTIVITY

1. Separate one half of the group from the other (e.g. people sitting on the left hand side of the room from people sitting on the right).
2. Nominate one half of the group to be the police officers or PSOs and give them one of the following cards. You may need to duplicate the cards depending on the number of people in the group.

3. Direct the half of the group who do not have cards to imagine they are in a public place and remind them to think about what rights they have if a police officer or PSO stops them on the street.
4. Direct the police officers and PSOs in the group to find a person who does not have a card and ask them for their name and address. Remind the police officers and PSOs that the reason they are stopping people for their names and address is explained on the card.
5. Give the pairs 5 minutes to role-play and if time allows, direct the police officers and PSOs to find another person to stop.
6. Then reconvene the group and ask some or all of the card-carrying police officers or PSOs to read out their card and report back on whether they were able to get the names and addresses they needed. Ask the members of the group who were stopped by police or PSOs whether they thought the officer had the power to ask them for their name and address in that situation and what their rights were (eg did they ask the officer for a reason or for their details?) If someone is unsure about their answer, ask the rest of the group to help them come up with an answer.

PRINT AND CUT OUT (next page)

PRINT AND CUT OUT

<p>You are:</p> <p style="text-align: center;">Sergeant K. Brown Southside Police Station</p> <p>A robbery just happened in the area. You need to question everyone around to find out if they saw or heard anything. You need to write down their name and address for your list of witnesses.</p>	<p>You are:</p> <p style="text-align: center;">Senior Constable P. Myer Highway Patrol</p> <p>You just pulled the person you are talking to over because they were driving all over the road. You need their name and address so you can check their license details on a database.</p>
<p>You are:</p> <p style="text-align: center;">Constable T. Abdi Sunnydale Police Station</p> <p>You are searching for a suspect called Sam Smith who has just assaulted someone in the area. The person you are talking to matches the description the victim gave you. You need to ask their name and address to see if it's the same person.</p>	<p>You are:</p> <p style="text-align: center;">A.Sims, Protective Services Officer (PSO) Transit Safety Division</p> <p>You are at a train station and you just saw someone illegally walk onto the train tracks to bypass the ticket gates. You need to get their name and address so you can give them a fine.</p>
<p>You are:</p> <p style="text-align: center;">Constable H. Gibb Melbourne Transit Safety Division</p> <p>You see someone who looks like they're from the same family as a big trouble-maker called Biggie Rascal who is often in the area. You want to know their name so you can tell them to clear out if they have the same last name as that trouble-maker.</p>	<p>You are:</p> <p style="text-align: center;">M. Tran, Protective Services Officer (PSO) Melbourne Transit Safety Division</p> <p>You are in a train station and you just heard a window smash nearby. The person you have stopped has bleeding cuts on their hands and you suspect they punched the window in. You need their name and address so you can investigate.</p>

MODEL ANSWER SHEET: Giving Your Name and Address**Part I - Discussion points:**

<p>1. Why do you think police stopped and asked the person in the video for his name and address?</p>	<p>Police probably thought he was dealing illegal drugs or in possession of illegal drugs.</p>
<p>2. Did police have a lawful reason to ask for the person's name and address in that situation?</p>	<p>Yes. Police have the power to ask for a person's name and address if they have reason to believe that person has committed a crime or is about to commit a crime.</p>
<p>3. What rights did that person have when police asked for his name and address?</p>	<p>He had the right to:</p> <ul style="list-style-type: none"> • ask the police officer why he was asking for his name and address • ask the police officer to tell him his name, rank and station • ask the police officer to put those details in writing
<p>4. What would have happened if the person did not give the police officer his name and address or gave the officer a false name or address?</p>	<p>If police have a lawful reason to ask for your name and address, it is illegal to refuse to give your name and address or give a false name or address and you may end up being charged in court.</p>
<p>5. Do Protective Services Officers (PSOs) have the same powers to ask for your name and address as police? How are their powers different?</p>	<p>PSOs have much the same powers as police to ask for your name and address if you are on or near public transport property. This means they can ask for your name and address if you are on or near public transport property and they have reason to believe:</p> <ul style="list-style-type: none"> • you have committed an offence • you are about to commit an offence • you might be able to help them investigate a serious offence

Part II – Activity

Officer details	Did they have the power to ask for a name and address? If so, why?
Sergeant K. Brown	Yes. The police officer has the power to ask for a name and address in this situation because he has reason to believe people in the area may have witnessed a serious crime.
Senior Constable P. Myer	Yes. The police officer has the power to ask for a name and address in this situation because the person is driving and the officer has a lawful reason to pull the person over.
Constable T. Abdi	Yes. The police officer has the power to ask for a name and address in this situation because the officer has reason to believe that person had committed a serious crime.
PSO A.Sims	Yes. The PSO has the power to ask for a name and address in this situation because the officer is on or near public transport property and the officer has reason to believe that person had just committed an offence.
Constable H. Gibb	No. The police officer did not have the power to ask for that person's name and address because he or she had no lawful reason (eg no reason to believe a person has committed an offence or is about to commit an offence or that a person witnessed a serious crime).
PSO M. Tran	Yes. The PSO has the power to ask for a name and address in this situation because the he has reason to believe that person had committed a serious crime and he is on public transport property.

Note: Everyone stopped by the police officers or PSOs in this exercise had the right to:

- ask why the police or PSO asked for their name and address
- ask for the police or PSOs name, rank and station
- ask for those details in writing

SESSION PLAN:**Weapons Searches****RESOURCES**

If you have internet access during a session	If you do not have internet access during a session
1. Link to Legal Info page on 'Weapons Searches' at www.youthlaw.asn.au/street-law/weapons-searches/ 2. Print out and cut out the cards below. You need enough cards so each person has a card so you will need to duplicate the cards if your group is larger than six people. (See below)	1. Street Law DVD – cue 'Bikie Baker' 2. Printouts of PDF version of Legal Info page on 'Weapons Searches' to hand out available at www.youthlaw.asn.au/street-law/weapons-searches/ 3. Print out and cut out the cards below. You need enough cards so each person has a card so you will need to duplicate the cards if your group is larger than six people. (See below)

PART I – DISCUSSION

1. Watch the **'Bikie Baker' video** from start to finish on the DVD or from the Legal Info page. Then direct students to read over the Legal Info page (or the PDF handouts if you do not have internet access) for 5-10 minutes. You can direct the group to read through the content on their own or go through the content together.
2. As a group or in pairs, discuss the following questions:
 - (a) **Why do you think the police officer stopped and searched the Bikie Baker for weapons?**
 - (b) **Do you think that was fair the Bikie Baker was stopped and searched? Why or why not?**
 - (c) **What would happen if the Bikie Baker resisted the search?**
 - (d) **Why did the Bikie Baker get a fine?**
 - (e) **Does the Bikie Baker have a 'lawful excuse' for carrying the weapon?**
 - (f) **What would you do about the fine if you were the Bikie Baker?**

PART II – ACTIVITY

1. Print and cut out the following cards then hand out a card to each person. (You will need to duplicate the cards if there are more than six people in the group). Then break the group into pairs.
2. Then tell the group the following:

Imagine you are at a busy train station. I am a Protective Services Officer (PSO) who is about to stop and search you because there have been a lot of violent incidents

involving weapons at this train station lately. Look at your card and imagine you have this item in your bag for the reason explained in the card. Show your partner what item you have on your card and together discuss your answers to the following questions:

- i. Am I breaking the law by carrying this item around in public?
- ii. Does the PSO have the power to search me?
- iii. What are my rights if the PSO searches me?
- iv. What should I do if I get a fine or get charged in court for carrying this item around?

You may need to write these questions up on a board for the group to remember.

3. Give the pairs five or ten minutes to discuss their cards and come up with answers to the questions for each of their cards together. Then ask each pair to feed back to the group what items they have in their bag and what their answers are to each question. If a pair say they are unsure about their answer to any of the questions, ask the rest of the group to help figure out a response. Refer to the model answers for each card to check the group's understanding.

<p style="text-align: center;">Card (1)</p> <p>Stanley knife to open boxes at work, you are on your way to work right now.</p>	<p style="text-align: center;">Card (2)</p> <p>Fishing knife. You are on your way to the beach right now to go fishing.</p>
<p style="text-align: center;">Card (3)</p> <p>Imitation firearm (eg a cap gun). You just carry it around for fun.</p>	<p style="text-align: center;">Card (4)</p> <p>A pocket knife for self defence. You never know when you might need it.</p>
<p style="text-align: center;">Card (5)</p> <p>Swiss army knife to take camping. You're waiting for a friend to pick you up and drive you to the campsite right now.</p>	<p style="text-align: center;">Card (6)</p> <p>Baseball bat for self defence. You don't play baseball but you carry it because you're scared of people around here.</p>

MODEL ANSWER SHEET: Weapons Searches**Part I - Discussion points:**

1. Why do you think the police officer stopped and searched the Bikie Baker for weapons?	<i>Open discussion</i> Prompt with questions like: <ul style="list-style-type: none"> • do you think it was because of how he looks? • do you think he was in an area with lots of violent crime?
2. Do you think that was fair the Bikie Baker was stopped and searched? Why or why not?	<i>Open discussion</i> Prompt with questions like: <ul style="list-style-type: none"> • do you think it's fair the Bikie Baker got stopped? • do you think the Bikie Baker was a danger to anyone?
3. What would happen if the Bikie Baker resisted the search?	It is a criminal offence to resist or refuse a lawful search by police and the Bikie Baker would have been charged in court if he resisted the search.
4. Why did the Bikie Baker get a fine?	The Bikie Baker got a fine for carrying a kitchen knife in a public place, which is a controlled weapon.
5. Does the Bikie Baker have a 'lawful excuse' for carrying the weapon?	Yes. He was carrying the knife because he was going on a picnic and having the knife for recreational purposes is a lawful excuse.
6. What would you do about the fine if you were the Bikie Baker?	<i>Open discussion.</i> Prompt with questions like: <ul style="list-style-type: none"> • If you think you have a defence or police may have done an illegal search on you, would you try and find more information or get legal advice? • Did you see the information at the end of the video about Youthlaw? • What is Youthlaw and how would you contact Youthlaw?

Part II – Activity:

Card (1) Stanley knife	<ol style="list-style-type: none"> 1. No. A Stanley knife is a controlled weapon but I am not breaking the law because I have a lawful excuse - I need it for work. 2. Yes. A PSO has the power to search me because I am in a train station and they have reason to believe I am carrying a weapon. Even just being
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	<p>in an area where there has been a lot of violent crime lately can be enough of a reason for a PSO to search me for weapons.</p> <p>3. I have a right to ask a PSO why they are searching me and to ask the PSO for their name, rank and station. I can request a record of the search.</p> <p>4. Open discussion. Prompt with questions:</p> <ul style="list-style-type: none"> • Should you still pay the fine if you have a lawful excuse? • Should you get more information or legal advice about how to challenge the fine first? • Could you contact Youthlaw for more information or advice?
<p>Card (2) Fishing knife</p>	<p>1. No. A fishing knife is a controlled weapon but I am not breaking the law because I have a lawful excuse – I need it to go fishing so it's for a recreational purpose.</p> <p>2. Yes. A PSO has the power to search me because I am in a train station and they have reason to believe I am carrying a weapon. Even just being in an area where there has been a lot of violent crime lately can be enough of a reason for a PSO to search me for weapons.</p> <p>3. I have a right to ask a PSO why they are searching me and to ask the PSO for their name, rank and station. I can request a record of the search.</p> <p>4. Open discussion. Prompt with questions:</p> <ul style="list-style-type: none"> • If you think you have a lawful excuse, should you pay the fine or find out how to challenge it first? • Should you get more information or legal advice about how to challenge the fine? • Could you contact Youthlaw for more information or advice?
<p>Card (3) Cap gun</p>	<p>1. Maybe. An imitation firearm is a controlled weapon and it is illegal to carry one around without a lawful excuse. Just carrying one around for fun may not be enough for the PSO to believe I have it for recreational purposes.</p> <p>2. Yes. A PSO has the power to search me because I am in a train station and they have reason to believe I am carrying a weapon. Even just being in an area where there has been a lot of violent crime lately can be enough of a reason for a PSO to search me for weapons.</p> <p>3. I have a right to ask a PSO why they are searching me and to ask the PSO for their name, rank and station. I can request a record of the search.</p> <p>4. Open discussion. Prompt with questions:</p> <ul style="list-style-type: none"> • Could you afford to pay a fine if it costs you hundreds of dollars? • Should you get more information or legal advice about whether you should try and challenge the fine? • Could you contact Youthlaw for more information or advice?
<p>Card (4) Pocket knife</p>	<p>1. Yes. A pocket knife is a controlled weapon and it is illegal to carry one around in public without a lawful excuse. Self-defence is not a lawful excuse.</p> <p>2. Yes. A PSO has the power to search me because I am in a train station and they have reason to believe I am carrying a weapon. Even just being in an area where there has been a lot of violent crime lately can be enough of a reason for a PSO to search me for weapons.</p> <p>3. I have a right to ask a PSO why they are searching me and to ask the PSO for their name, rank and station. I can request a record of the search.</p> <p>4. Open for discussion. Prompt with questions:</p> <ul style="list-style-type: none"> • Could you afford to pay a fine if it costs you hundreds of dollars?

	<ul style="list-style-type: none"> • Could you contact Youthlaw for more information or advice about paying the fine?
Card (5) Swiss army knife	<ol style="list-style-type: none"> 1. Yes. A pocket knife is a controlled weapon and it is illegal to carry one around in public without a lawful excuse. Self-defence is not a lawful excuse. 2. Yes. A PSO has the power to search me because I am in a train station and they have reason to believe I am carrying a weapon. Even just being in an area where there has been a lot of violent crime lately can be enough of a reason for a PSO to search me for weapons. 3. I have a right to ask a PSO why they are searching me and to ask the PSO for their name, rank and station. I can request a record of the search. 4. Open for discussion. Prompt with questions: <ul style="list-style-type: none"> • Could you afford to pay a fine if it costs you hundreds of dollars? • Could you contact Youthlaw for more information or advice about paying the fine?
Card (6) Baseball bat	<ol style="list-style-type: none"> 1. Yes. A baseball bat is not usually a weapon but it can be illegal to carry any object if police or PSOs can prove you intended to use it as a weapon. Carrying the bat for self-defence is not a lawful excuse. 2. Yes. A PSO has the power to search me because I am in a train station and they have reason to believe I am carrying a weapon. Even just being in an area where there has been a lot of violent crime lately can be enough of a reason for a PSO to search me for weapons. 3. I have a right to ask a PSO why they are searching me and to ask the PSO for their name, rank and station. I can request a record of the search. 4. Open for discussion. Prompt with questions: <ul style="list-style-type: none"> • Could you afford to pay a fine if it costs you hundreds of dollars? • How could police prove you had an intention to use the bat as a weapon? (eg if you tell them that is why) • Could you contact Youthlaw for more information or advice about paying the fine?

SESSION PLAN:**Carrying Spray Cans and Graffiti Searches****RESOURCES**

If you have internet access during a session	If you do not have internet access during a session
<ul style="list-style-type: none"> Link to Legal Info Page on 'Carrying Spray Cans and Graffiti Searches' at www.youthlaw.asn.au/street-law/carrying-spray-cans-and-graffiti-searches/ 	<ul style="list-style-type: none"> Street Law DVD – cue 'The Artist' Printouts of PDF version of Legal Info Page on 'Carrying Spray Cans and Graffiti Searches' to hand out available at www.youthlaw.asn.au/street-law/carrying-spray-cans-and-graffiti-searches/

PART I – DISCUSSION

- Watch the 'The Artist' video from start to finish on the DVD or from the Legal Info page. Then direct the group to read over the Legal Info page (or the PDF printout) for five to ten minutes or go through the content together.
- As a group or in pairs, discuss the following questions:
 - Did the Protective Services Officer (PSO) have the power to search that person for graffiti implements? Why or why not?**
 - What would have happened to her if she refused or resisted the search?**
 - What did she have the right to do in that situation?**
 - Why did she get a fine?**
 - Does she have a lawful excuse for carrying the spray can?**

PART II – ACTIVITY

- Ask the group to break into pairs or you can hold a group discussion if you are in a small group. Write up the following statement on a board and read it aloud:

“Searching, fining or charging people in court for carrying spray cans on public transport is the best way to reduce graffiti crime.”

- Ask everyone in the group to think about whether they agree or disagree with that statement. If you break the group into pairs, then allow the pairs to discuss their answers for five or ten minutes.
- Then ask each person or pair in the group to state their answer and give one reason why they agree or disagree with the statement. Write up their answers on the board as points that are 'for' and 'against'.

MODEL ANSWER SHEET: Carrying Spray Cans and Graffiti Searches**Part I - Discussion points:**

<p>1. Did the Protective Services Officer (PSO) have the power to search that person for graffiti implements? Why or why not?</p>	<p>Yes, as long as she was age 14 or over. The PSO had the power to search that person for graffiti implements because that person was on public transport property and they had reason to believe she was carrying a spray can. Just being in an area with lots of graffiti around can be enough reason to believe a person is carrying a spray can.</p>
<p>2. What would have happened to that person if she refused or resisted the search?</p>	<p>It is an offence to resist a lawful search by a PSO and she would have been charged in court if she refused or resisted the search.</p>
<p>3. What did that person have the right to do in that situation?</p>	<p>She had the right to ask why she was being searched. She had the right to ask for the PSOs details and she can request a copy of a written record of the search within 12 months.</p>
<p>4. Why did the young person get a fine?</p>	<p>She got a fine because she was carrying a spray can. It is illegal to carry a spray can on public transport property without a lawful excuse.</p>
<p>5. Does she have a lawful excuse for carrying the spray can?</p>	<p>Probably not. The only lawful excuse for carrying a spray can if you need it for your employment or your trade. It sounds like she just carries the spray can to do murals and tags for fun and not for her employment or a trade.</p>

Part II – Activity

Open for discussion. Prompt with questions like:

- are people less likely to graffiti if they can't carry a spray can around on public transport?
- are fines or criminal charges likely to stop people who do illegal graffiti?
- is it fair to charge or fine people for carrying a spray can if they weren't planning on doing anything illegal with the spray can?

- are there other ways of reducing graffiti crime? E.g. more places where it is legal to graffiti or more opportunities for artists to paint murals
- should graffiti be a crime at all or should some graffiti be legal and not others?

Extension for VCAL PDS011

- If you came up with other ideas on how to reduce graffiti crime, how would you go about making your idea happen? For example, are there particular people you should go and speak to eg your local police sergeant, your local council members, your local MP? Or are there steps you could take yourself eg organise a petition or organise a public forum?

Extension for VCAL PDS012 and VELS 7&8 (Civics & Citizenship – Community Engagement)

- Look online for media articles and/or statistics about graffiti in your local area or all of Victoria. Can you find media articles, statistics or ideas that support your answers to the questions above?

More about the Street Law Project

The Street Law Education Kit is part of the Street Law video legal education project, funded by the Victoria Law Foundation. Produced in collaboration with students at Youthworx Media, each episode tells a real or imagined story about a young person who comes across a police officer or a PSO on the street. The stories raise important questions about police or PSO powers and young people's rights in different situations.

For updates on the Street Law project and forthcoming video releases, follow Youthlaw on [Twitter](#) or [Facebook](#) or contact our Education Coordinator Annie Davis on (03) 9611 2412 or education@youthlaw.asn.au.

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