

Speaker's notes

What's the law - Australia's legal system

How to use these notes

Topic: Australia's legal system, courts, judges' roles, police and politicians, going to court.

Resources: *What's the law?* education kit 'Australia's legal system', which contains a photo story (on DVD), activity sheets and answer sheets.

These notes provide guidelines for a speaker's script and information on how to use these resources when presenting to a community group. The notes include a story summary, questions and answers, key messages, areas for further discussion and referral information.

1. Preparing to present

It may be useful to read the activity and answer sheets to prepare for your presentation - they may give you ideas for additional questions and activities for your group. It is also a good idea to look at the websites and referral information given in section nine of these notes.

If you need assistance with presentation skills, engagement ideas or coordination support for the group you are preparing for you can contact communitylegaled@legalaid.qld.gov.au or 3238 3431.

2. Introduce yourself and *What's the law?*

Before you begin the presentation, introduce yourself, your role and your organisation.

For example, if you work at Legal Aid Queensland:

- Legal Aid Queensland helps the community in many different ways if they have problems with the law. We provide legal education to newly-arrived communities about their rights and responsibilities.

Refer to the *What's the law?* education kit and its purpose by mentioning these key points:

- We see many different newly-arrived communities get into trouble with the law and often it is the same legal problems that arise. These problems can be avoided if you know some simple information about the law and where to go to for help before your problem becomes serious.
- The photo stories in *What's the law?* have been made to help you learn about the law on ten different topics.

Begin with some introductory statements and general questions about the topic:

- Today we are going to show you a photo story about how the legal system works in Australia. It could be very different from your experience of the law in your home country.
- In Australia, the law applies to everyone in the country regardless of what their position is. It even applies to the Prime Minister of Australia.
- Who is the Prime Minister? Do you know how the Prime Minister is elected?

3. Summarise the photo story

- This story is about Abdi and Gahmal.
- Abdi and Gahmal discuss whether the Prime Minister, police, politicians and judges have to follow the law. They also talk about voting.

- Abdi is in trouble with the law and he must go to court. He is worried about his privacy, and about people in his family and community knowing he is in legal trouble.

4. Ask questions

To strengthen engagement with the photo story and develop the group's legal literacy, ask the following questions before showing the story. This will encourage the group to watch actively and think about key messages.

While you are watching the photo story, think about the next four questions:

- 1) **Who makes the law in Australia?**
- 2) **Who can vote?**
- 3) **What must judges do and can you pay judges?**
- 4) **What do lawyers do for people?**

5. Show the photo story



6. Answer the questions

Ask the same key questions after you show the story and allow for discussion to tease out the right answers.

Where can Abdi go for help?

- Politicians are elected to parliament when we vote for them at elections.
- Politicians listen to the community and make laws to protect society.
- These laws may apply to Queensland only, or the entire country. Different states and territories have different parliaments and laws, although many laws are similar across the country.
- Judges in the courts can also make laws in Australia. Judges have different powers to politicians and are separate to government.

Who can vote?

- You must enrol to vote if you are an Australian citizen and over 18 years old.
- You may get a fine if you do not vote during an election.
- It is illegal to pay someone to vote - this is a bribe.
- You can choose who you vote for in Australia.

What must judges do and can you pay judges?

- Judges apply the law to different legal problems after they have heard all the facts. They are paid a salary by the government.
- Judges do not make decisions according to who they 'prefer'. If one side is wrong under the law then this is the decision the judge will make.
- It is illegal to bribe a judge.

What do lawyers do for people?

- Lawyers help people understand the law and solve legal problems.
- Not all legal problems involve going to court. Lawyers help with many problems that do not end up going to court or a tribunal.

7. Emphasise key messages

- Voting is an important right and obligation for citizens in Australia.
- Australian courts, politicians and police are fair and free from corruption.
- Call **Legal Aid Queensland** or your **community legal centre** if you have legal problems or have to go to court.

8. Further questions and discussion

- Does anyone have any questions?

You are not expected to be a lawyer to use this resource, many teachers and community workers use this resource successfully. If a participant raises personal legal issues, you can provide referral information. If you are not a lawyer, legal assessment or advice should be referred to **Legal Aid Queensland** on **1300 65 11 88** or the closest **community legal centre**.

9. Possible discussion points and referral information

Voting

- The Electoral Commission Queensland can provide information about voting:
1300 881 665
www.ecq.qld.gov.au/voting.aspx?id=37
- Parliament of Australia:
www.aph.gov.au

Citizenship test and application

- Generally, to apply for citizenship you will need to:
 - be a migrant who is a permanent resident
 - satisfy the residence requirement: living in Australia on a valid Australian visa for four years immediately before applying, which must include the last 12 months as a permanent resident; not have been absent from Australia for more than one year in total in the four-year period, including no more than 90 days in the year before applying
 - be likely to reside, or to continue to reside, in Australia or to maintain a close and continuing association with Australia
 - be of good character if you are 18 years of age or over and
 - take the citizenship test:
www.citizenship.gov.au/applying/how_to_apply/conferral_app_process/

Police powers – what police can and can't do

You can show the 'Police' photo story if time permits.

- If a police officer has a reasonable belief you have committed an offence or are about to commit an offence they can ask for your name and address. You must provide these details accurately.
- Information about dealing with police and relevant publications are available on the Legal Aid Queensland website www.legalaid.qld.gov.au/legalinformation/thejusticesystem/Dealingswithpolice/Pages/default.aspx