

You're heading to schoolies week to have fun, not to get caught up with the law.

Some behaviour that you might think is okay can actually be against the law, especially when you're in a public place. Below is a list of some common offences to give you an idea about the sorts of things that could get you in trouble.

Remember, people who are 17 and older are treated as adults under Queensland law.

ASSAULT

> Street brawls, especially fights which break out between partygoers outside nightclubs, or between people who are drunk in public places, can result in a person being charged with common assault.

> The offence of assault requires force to have been used either directly (such as by punching or pushing with a hand) or indirectly (such as by throwing a drink) against a person. An assault can also be committed by threats and gestures.

> Maximum penalty: 3 years jail.

BUYING AND DRINKING ALCOHOL

> It is an offence to pretend to be 18 to buy alcohol.

> It is normally an offence to drink alcohol in a public place and it is illegal to be drunk in public.

> Maximum penalty for drinking in a public place: \$100; for being drunk: \$200.

CONTRAVENE A POLICE DIRECTION (WITHOUT REASONABLE EXCUSE)

> This catch-all offence applies where there is no other specific offence for contravention of a particular police direction.

> The offence also covers cases of disobeying move on directions issued under the Police Powers and Responsibilities Act.

> Maximum penalty: \$4000 (under the Police Powers and Responsibilities Act).

PUBLIC NUISANCE

> Public nuisance can occur in a number of ways, including where a person behaves in:

- a disorderly way;
- an offensive way (this includes using offensive or abusive language);
- a threatening way (including using threatening language); or
- a violent way;

and this behaviour interferes with, or is likely to interfere with, another person's passing through or enjoyment of a public place.

> A public complaint about a nuisance being committed is NOT required, so the police can charge a person if they feel a public nuisance is being committed.

> Maximum penalty: \$1000 or 6 months jail.

FAKE IDS

> It is illegal to pretend that you are over 18 if you are not in order to enter a licenced premises.

> Altering an ID card to make it appear as though you are 18 or older or giving someone else a fake ID is also against the law.

> Maximum penalty: \$2500.

RAPE

> Rape can include any level of penetration of another person's genitals by any part of your body or any object without their consent.

> Consent means consent given freely and voluntarily by a person with the cognitive capacity to give that consent.

> There have been cases where rape charges have been laid after one of the parties was found to have been too drunk to consent.

> Maximum penalty: life imprisonment.

SEXUAL ASSAULT AND HARASSMENT

> Sexual assault is an offence.

> Maximum penalty for sexual assault: 10 years imprisonment.

> Sexual harassment is unwelcome sexual attention directed towards another person, for example unwanted touching, dirty jokes or requests for sex.

> It is illegal to film or photograph people having sex without their consent. Loading such material onto the internet can also lead to criminal charges.

> Maximum penalty for recording private acts: 2 years jail.

WILFUL EXPOSURE

> Flashing is against the law.

Maximum penalty: \$4000.

PUBLIC URINATION

> It is an offence to urinate in public.

> Maximum penalty: \$200.

Having a criminal history can effect your future employment and travel opportunities.

If you need legal advice there are a number of free legal services available:

Caxton Legal Centre
tel: (07) 3254 1811
www.caxton.org.au

Legal Aid Queensland
tel: 1300 65 11 88
www.legalaid.qld.gov.au

To find your nearest community legal centre providing free legal advice visit the Queensland Association of Independent Legal Service's website at:

www.qails.org.au

This information is intended only as a guide. It is not a substitute for legal advice.

KNOW YOUR RIGHTS

1. If approached by police you need only give your name, address and, if under 17, your age.
2. You have the right to remain silent after providing those details.
3. You do not need to go to the police station unless you have been arrested or detained.
4. There is no such thing as an "off the record" interview. Always ask to contact a lawyer before a police interview.
5. Failure to comply with a police direction or requirement without a reasonable excuse is an offence.

SCHOOLIES WEEK

WHAT YOU NEED TO KNOW ABOUT THE LAW