

REALITY CHECK QUIZ

IS THERE A LEGAL PROBLEM?



1. Because I'm 16, if I'm convicted of a crime, it's not really serious because my criminal record gets cleared when I turn 18.

True **False**

2. My parents know that my friends and I are going to drink and they want to keep an eye on us, so they buy the beer and we drink at our house. My mates always come to my place because my parents are chill and theirs are way more strict and wouldn't allow it. If the party gets busted, my parents won't get into trouble because they stay up the other end of the house and don't drink with us.

True **False**

3. If I ever get pulled over by the cops or get asked to come to the station for an interview, I should talk to them straight away and tell them what I know. If I don't talk, they'll think that I'm guilty and that will be used against me in court.

True **False**

4. When I'm over 18, I can grow a small amount of pot legally. I can take it with me when I go to NSW, because I live in Canberra and it's legal there.

True **False**

5. Having a minor criminal record as an adult, such as committing one drink-driving offence, doesn't have much of an impact on my life. I can still travel wherever I want and work wherever I want, both in Australia and overseas.

True **False**

6. My mates on the footy team were joking in the club rooms after a big win. One of the guys popped a bottle of sparkling apple juice that looked like champagne. He dropped his towel while he was guzzling from the bottle on his way into the shower. It was hysterical, so when he turned his back, I pulled my phone out and started videoing. I sent it to the other guys on the team on Snapchat and saved the original on my phone. I thought it was a harmless moment that we'll laugh about at our high school reunion someday. The coach says we could be in big trouble.

True **False**

7. My friends and I have been driving for two years. One of my friends has never been caught speeding and she's never had an accident, but she's got a lot of unpaid parking tickets in her glovebox. I keep telling her that if she ever gets stopped, they could take her license.

True **False**

REALITY CHECK QUIZ

DO I HAVE A LEGAL PROBLEM?

8. A friend of mine was a witness to a car crash and she's been subpoenaed, which means she has to go to court and give evidence in the witness box. She's not sure that she's willing to tell the whole truth because it implicates her and could jeopardise her university scholarship. The details aren't that important because she's not the one on trial.

True **False**

9. My girlfriend and I have a pretty intense relationship. I hate when she talks to other guys or chooses to spend time with her friends instead of me. Once when she told me she had been out with a group of friends, including some guys, and I just saw red. I shoved her against the wall and said, "look what you made me do." When I calmed down, I felt pretty bad about it and I apologised. I'm not proud of it, but I think it's pretty normal for guys to feel jealous and it's not against the law to tell your girlfriend to stop doing things that make you angry.

True **False**

10. I work a part-time job at a local restaurant. I get on well with everyone and my manager gives me lots of positive feedback about how I'm doing. However, the owner of the restaurant really has it in for me and is constantly putting me down in front of others. The other day a customer was really unhappy because the boss had forgotten about their meal, and at the end of the shift she said I was fired because I was the one who had stuffed up. That just wasn't true. My mum says there is nothing I can do about it and 'some bosses are just bad people.'

True **False**



REALITY CHECK QUIZ - ANSWERS

1 - FALSE

If you are convicted of a criminal offence when you are aged between 10 and 17, the offence stays on your record for 5 years. That means, if you are convicted of an offence at 16 years old, you will have a criminal record until you are 21 years old.

2 - FALSE

It is illegal for an adult to supply alcohol to people aged under 18 years old in a private home, unless it is the parent supplying it to their child or they have the approval of the young person's parent. The adult must also responsibly supervise the young people consuming alcohol. Even if your parents had the permission of all your friends' parents to supply alcohol, it's likely that 'staying up the other end of the house' while you drink (potentially to excess) would not be responsible supervision. The maximum penalty is a \$3,200 fine.

3 - FALSE

If you come into contact with police, it's a good idea to make sure you stay calm and respectful. You have to give your name and address to police – you can be fined up to \$500 if you give a fake name. You do not need to say anything else. The police officer must tell you that you don't need to answer their questions, but that anything you say or do can be used later in evidence (proof you did something) in court. You have a 'right to silence', and the police and the judge are not allowed to conclude that your silence means you are guilty.

4 - FALSE

If you're aged 18 and over in the ACT, you can grow two cannabis plants and possess up to 50g of dried cannabis. However, cannabis possession remains illegal in NSW. If you are in possession of cannabis in NSW, the laws of NSW apply and you may be charged with an offence.

5 - FALSE

A criminal record, especially with convictions may make it harder for you travel overseas, get some jobs, apply for rent or stay at a refuge, and can affect any future court appearances.

For example, some jobs require a criminal record check. Some occupations will look at your record and a conviction might prevent you from working in that profession. This includes police officers, firefighters, lawyers, teachers, or any other employment involving children.

Some countries might refuse to grant you a tourist visa if you have a criminal record. For example, if you want to travel to the US, you must provide a copy of your criminal record. Under US law, someone who has been convicted of a crime can be refused entry. This includes 'minor' offences, such as drink driving or drug possession.

REALITY CHECK QUIZ - ANSWERS

6 - TRUE

It is a criminal offence to distribute an 'intimate image' of a person in the ACT without their consent. An intimate image includes a video of a someone's genital or anal region. If the person in the image is under 16, the maximum penalty is 5 years in jail. It doesn't matter if your friend has consented to this kind of video being sent around before – in this scenario, your friend didn't consent to this video being sent around.

7 - TRUE

If you receive a parking infringement (fine), you must take action within 28 days. That can include paying the fine, disputing the fine, or advising the Road Transport Authority that someone else was driving your car at the time. If you don't do anything within 28 days, you will be sent a reminder notice and you will be charged another \$34, in addition to the fine. If you don't do anything for another 28 days after the reminder notice, your license may be suspended. Your friend is at serious risk of having her license suspended over her unpaid fines.

8 - FALSE

If you receive a subpoena with a date to attend court as a witness, you must attend court. Your friend cannot refuse to be a witness, and before giving evidence she will have to swear an oath or make an affirmation to "tell the truth, the whole truth, and nothing but the truth." If your friend does not tell the court the truth about what she saw and heard, then she is committing perjury. Perjury is a serious criminal charge that has a maximum penalty of 7 years imprisonment.

9 - FALSE

Domestic violence, sometimes called family violence, is when someone close to you threatens you or does something to harm you or someone else in your family. Domestic violence is not acceptable, and the same laws about how we treat people out in the community apply to how to treat partners and family members. In this scenario, the boyfriend has committed physical assault and used threatening language towards his girlfriend. The offence of common assault has a maximum penalty of 2 years in prison.

10 - FALSE

It sounds like you have been unfairly dismissed from your employment. Unfair dismissal is when an employee is dismissed from their job in a harsh, unjust or unreasonable manner. Because you have worked at the restaurant for more than 6 months, you can apply to the Fair Work Commission to have a hearing about whether you were unfairly dismissed. You need to contact the Commission within 21 days of your dismissal. If you are able to prove that you were unfairly dismissed, you could be reinstated (given your job back) or paid compensation for lost wages.