

# Law

## **We'll learn about:**

- Laws and rules
- Types of law
- The legal system
- Justice and fair process
- Legal Aid

# Key Words

Word	Meaning	Write a sentence with the key word
<b>conflict</b>	disagreement, argument, dispute <i>Beekay had a conflict with Jay about his barking dog.</i>	
<b>enforce</b>	make sure it happens <i>The police enforce the law by stopping drivers who speed.</i>	
<b>equal</b>	same <i>Estee got equal pay because she did the same work as Arbee.</i>	
<b>law</b>	rules made by government and enforced by police and courts <i>If you steal you are breaking the law.</i>	
<b>legal (lawful)</b>	about the law. Allowed by the law <i>I was driving at the legal speed of 60.</i>	
<b>obey</b>	do what someone says. Follow orders <i>Bee obeyed the police officer and stopped the car.</i>	
<b>penalty</b>	punishment for breaking a law or rule <i>The penalty was 3 months jail.</i>	
<b>resolve</b>	to fix or sort out a problem <i>The way to resolve the problem is if both of us work together.</i>	
<b>responsibility</b>	must do something <i>You have a responsibility to look both ways before you cross the road.</i>	
<b>rules</b>	directions about how something should be done <i>The rules say the referee's decision is final.</i>	

# Key Concepts

Match words with the right picture - write the number in the box next to the words.

Discuss what the images say about each of these concepts

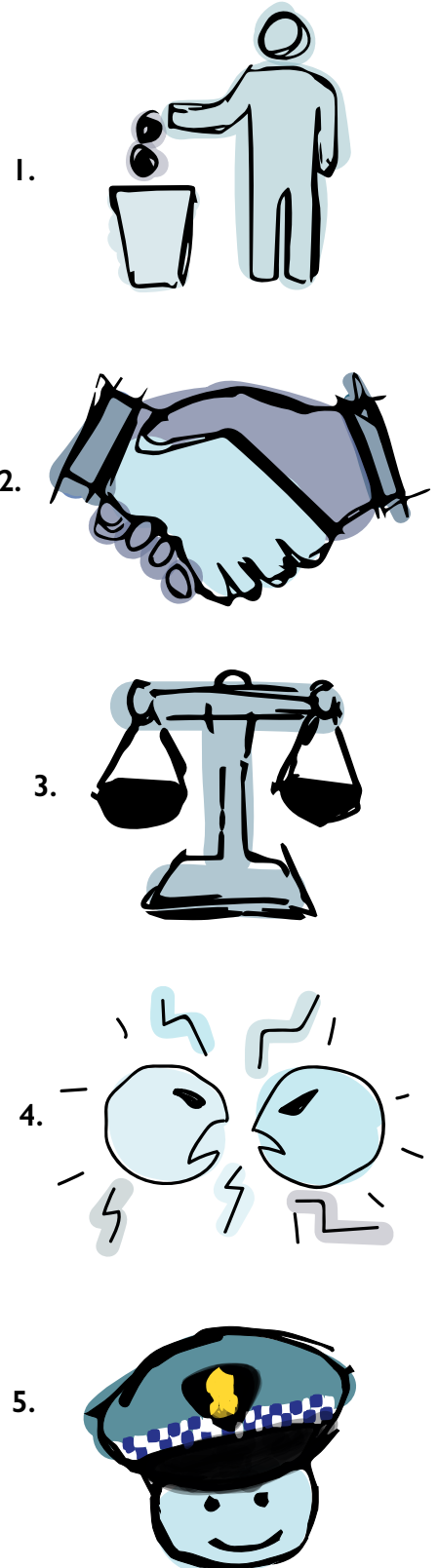
Arguement  
Conflict  
Dispute  
Fight

Equal  
Balance  
Fair

Responsibility

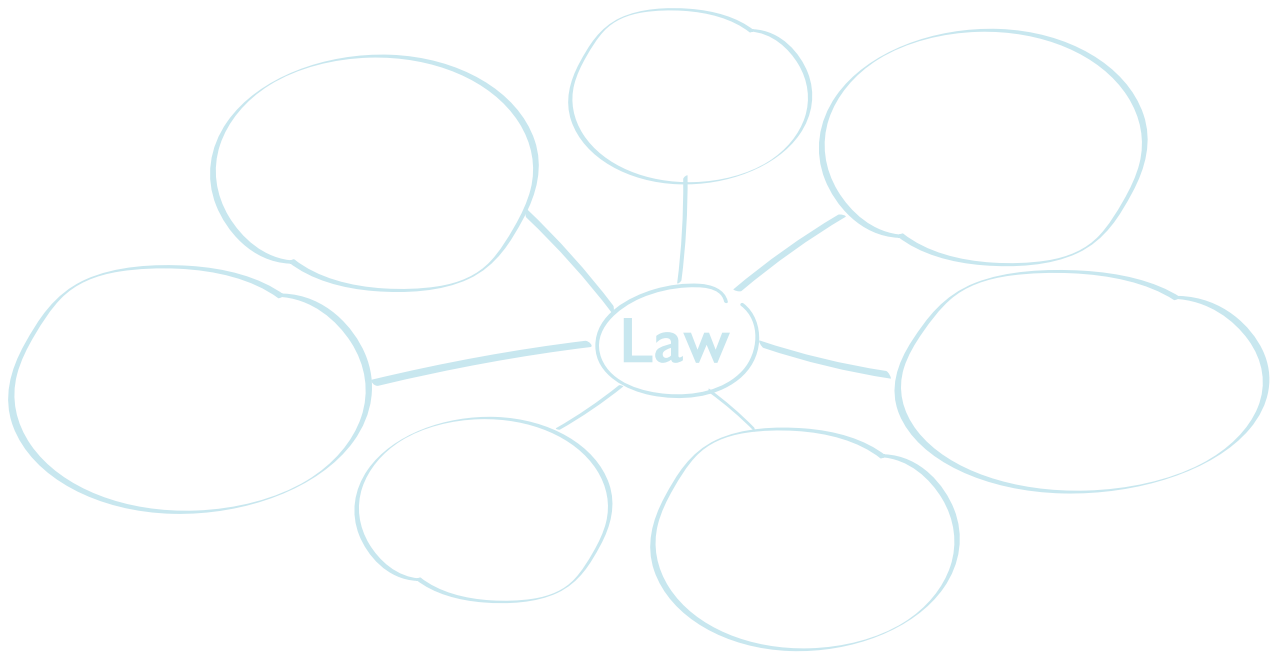
Law

Resolve  
Agree



# Laws v Rules

**‘Brainstorm’ the words that pop into your head when you think of ‘LAW’**  
THERE ARE NO WRONG ANSWERS!



**RULES** are guidelines about how something should be done.

Examples of rules are rules at home and rules of games.

We also develop **PERSONAL RULES** which shape what decisions we make.

**LAWS** are rules made by government and enforced by police and courts.

Examples of laws are rules about driving on the roads.

There are **CONSEQUENCES** for breaking rules and laws.

There are **REASONS** why rules and laws are made.

## Write Examples

HOME RULE	Consequence	Reason for the rule
1. No playing ball inside at home	Ball is taken away from you for a day	May break things if play ball game inside.
2.		

LAW	Consequence	Reason for the law
1. Stop car at traffic light		
2.		

# Law

Law can be made by parliaments or by courts. Law made by parliaments are called legislation ('legis' means 'law' - Latin) or statutes. 'Common law', or 'Case law' is law made when judges make new decisions in cases. Legislation can be made to override case law.

On 1 January 1901 the British Parliament passed a law allowing the colonies to govern themselves as States in a 'Commonwealth of Australia'.

A Constitution was agreed which still left the British Crown as 'Head of State'. Australian parliaments make laws, but the Bills have to be signed by Governors, representing the British Crown, before they become law.

**Here is an example of legislation made by the Queensland State Parliament**

## **Tobacco and Other Smoking Products Act 1998 (Qld)**

Section 26VC A person must not smoke in a motor vehicle IF:

- (a) the vehicle is on a road ... ; and
- (b) another person in the vehicle is under 16 years of age.

Maximum penalty—20 penalty units. 1 PENALTY POINT = \$110

This law means \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The consequence - Maximum (highest) penalty (punishment) = \$ \_\_\_\_\_

The reason for the law is \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

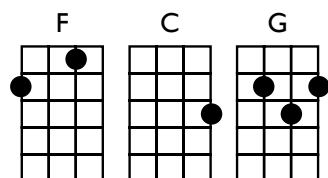
**Find laws at [www.austlii.edu.au](http://www.austlii.edu.au) or search 'Law Handbook' online.**

# Law Rules



## Law Rules

Ukulele



Hey there \_\_\_\_\_ here's a story about the law  
It should be \_\_\_\_\_ to all whether you're rich or poor.  
Politicians, \_\_\_\_\_ and people on the street  
Should be \_\_\_\_\_ by the law if you're violent or you cheat  
Yea 'Rule of law' says there's one law for all  
Law should \_\_\_\_\_ you whether you're rich or \_\_\_\_\_

Yeah, what's the law. Let's talk about the law  
Rule of law. All must follow the law  
Law should protect you, process must be fair  
Justice must be seen to be done everywhere

Judges and police must \_\_\_\_\_ our respect  
and if they truly get it wrong, \_\_\_\_\_, complain object.  
Fair process means we're all \_\_\_\_\_ equally  
With our differences treated \_\_\_\_\_  
Politicians make the laws and if they seem \_\_\_\_\_  
Try to change them peacefully \_\_\_\_\_ everywhere

About that law. Let's talk about the law.  
Before the law. We should all be equal that's for sure  
Judge everybody equally, but also individually

Law's not \_\_\_\_\_ sometimes the bad guy gets away  
or you can't afford a \_\_\_\_\_ to help you have your say  
in court or a transaction to help to make things fair  
at home and \_\_\_\_\_ and play, in life the law is \_\_\_\_\_  
Not always perfect, but it can help to make things \_\_\_\_\_

What's the law? Let's talk about the law  
Rich or poor, should all have access to the law  
Legal Aid can help you. \_\_\_\_\_ Legal Centres too

**Listen closely to the song.**

**What are the key messages?**

**Analyse the music.**

**Learn to play it on ukulele.**

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**poor**

**protect**

**police**

**fair**

**punished**

**people**

**unfair**

**protest**

**appeal**

**judged**

**individually**

**earn**

**fair**

**lawyer**

**work**

**everywhere**

**perfect**

**Community**

# Legal System

## 1901 CONSTITUTION

The main law which sets out the way government and courts work



**Federal Laws** - for all of Australia e.g. *immigration*

or



**State Laws** - only for a State e.g. *police, traffic*

or



**Local Laws** - for a local Council area e.g. *rubbish, pets, parks*

Laws are made by governments when a majority of the Members of Parliament (MP's) vote to pass a law (statute).

Laws also come from decisions of courts who build up legal principles or rules over time called the 'common law'.

### Law is divided into three main types:

**Civil law** - disputes between people or organisations.

**Criminal law** - where the State (through the police) bring charges against people.

**Administrative law** - disputes between people and government agencies.

	Write what type of law it is
You buy a phone but it doesn't work	
Police charge you with stealing a wallet	
A builder fixes your roof but it still leaks	
Police charge you for injuring someone in a fight	
The Immigration Department cancels your visa	
You slip on a wet floor in a shop and get injured	
Siblings disagree over what to do with their parents house after they died and left no will.	

# Legal System



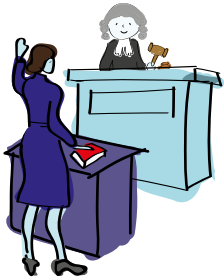
Write the name and role



Po \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Ma \_\_\_\_\_  
Ju \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

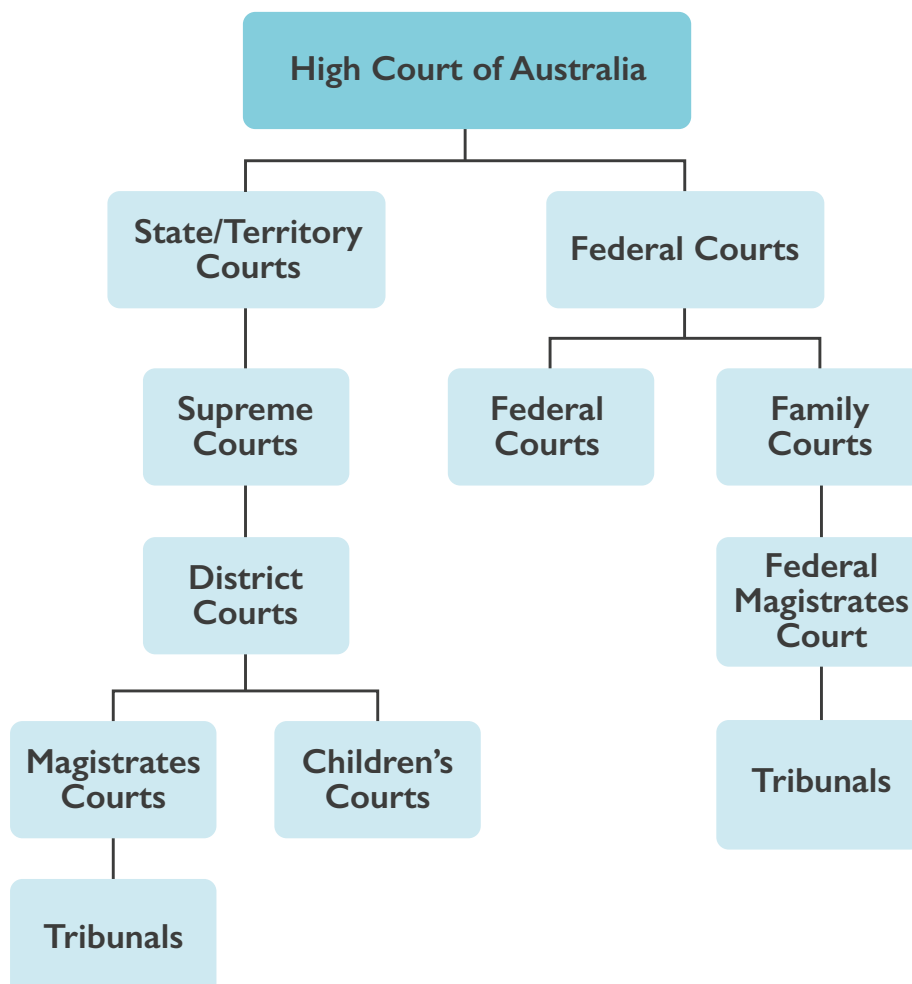


La \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Med \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Australian law is 'adversarial' where each party puts their case and a Judge or Magistrate makes a decision. In many civil disputes 'self-help' is best. We can sort problems out fairly between ourselves as long as we know our legal rights. Mediation is also used in law – where a mediator helps people talk together to try to sort out their disputes themselves.





# Justice

## Fair process in law means:

- No-one should be favoured above anyone else
- Everyone should have a chance to fully put their case to a court and have a chance to answer any information against them.
- The decision maker (judge, magistrate) weighs all the information to decide what is the truth and what the law says should happen.

## Rule of Law means:

- Everyone must obey laws. No one is above the law, even people in power like politicians or the police. There is 'One law for all'.

The ancient **Roman Goddess of Justice** holds a sword and scales, and sometimes has a blindfold. These are used as symbols for legal systems in some countries.

## What do the symbols represent?



Object	Metaphor
	Law must be fair: Judges will hear each side in a dispute and weigh up the information and make a decision
	Law has force and can punish
	Judges must be unbiased

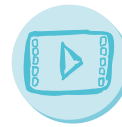
Judges and Magistrates must weigh up what the information, or evidence, presented by the parties in the case and decide whether the facts fit the law.

To make the legal system more fair there is a 'right to legal representation' - to have a lawyer help with your legal case. If you can't afford a lawyer then Legal Aid and Community Legal Centres give free legal help in many types of cases. These are funded by governments plus some community donations. Commercial lawyers also give free help through 'pro bono' legal work



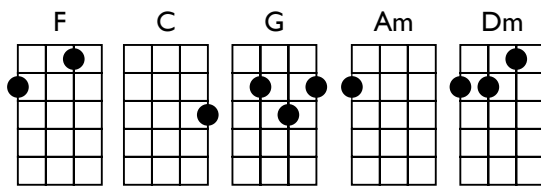
**Write and remember a rap that highlights Legal Aid's phone helpline**

# Peace Keeper



## Peace Keeper

Ukulele



\_\_\_\_\_ are made to keep things fair

Follow them to show you \_\_\_\_\_

In sport, at home or in the school

Follow rules and you'll be cool

\_\_\_\_\_ are rules for everyone

Keep the peace - we'll all have fun

If you mess up and do a crime

You could get \_\_\_\_\_ and do jail time

KEEP THE PEACE

I want to keep the peace

Want to know the law

Got to give and get respect

Make \_\_\_\_\_ not war

KEEP THE PEACE

Our families deserve \_\_\_\_\_

Parents, siblings and the pet

Every one of us has \_\_\_\_\_

So keep the peace let's not \_\_\_\_\_

\_\_\_\_\_ is the word

On the street, have you heard

You want rights and a voice

Show you care, it's a choice

KEEP THE PEACE

**Listen closely to the song.**

What are the key messages?  
Analyse the music.

Learn to play it on ukulele.

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**Laws**

**Rules**

**fight**

**respect**

**rights**

**caught**

**peace**

**care**

**Responsibility**

Song written by Getano Bann and Nikki Wynne with students from Milpera State School, Brisbane.

# Rap a Snapshot

Rap, tap, drum, hum, sing out a tune. Write a rap message, get on to it soon as you can, form an 'air band' plan a play, show and say, give a way we all can recall, what we learnt today.

**Write / sketch your ideas?**

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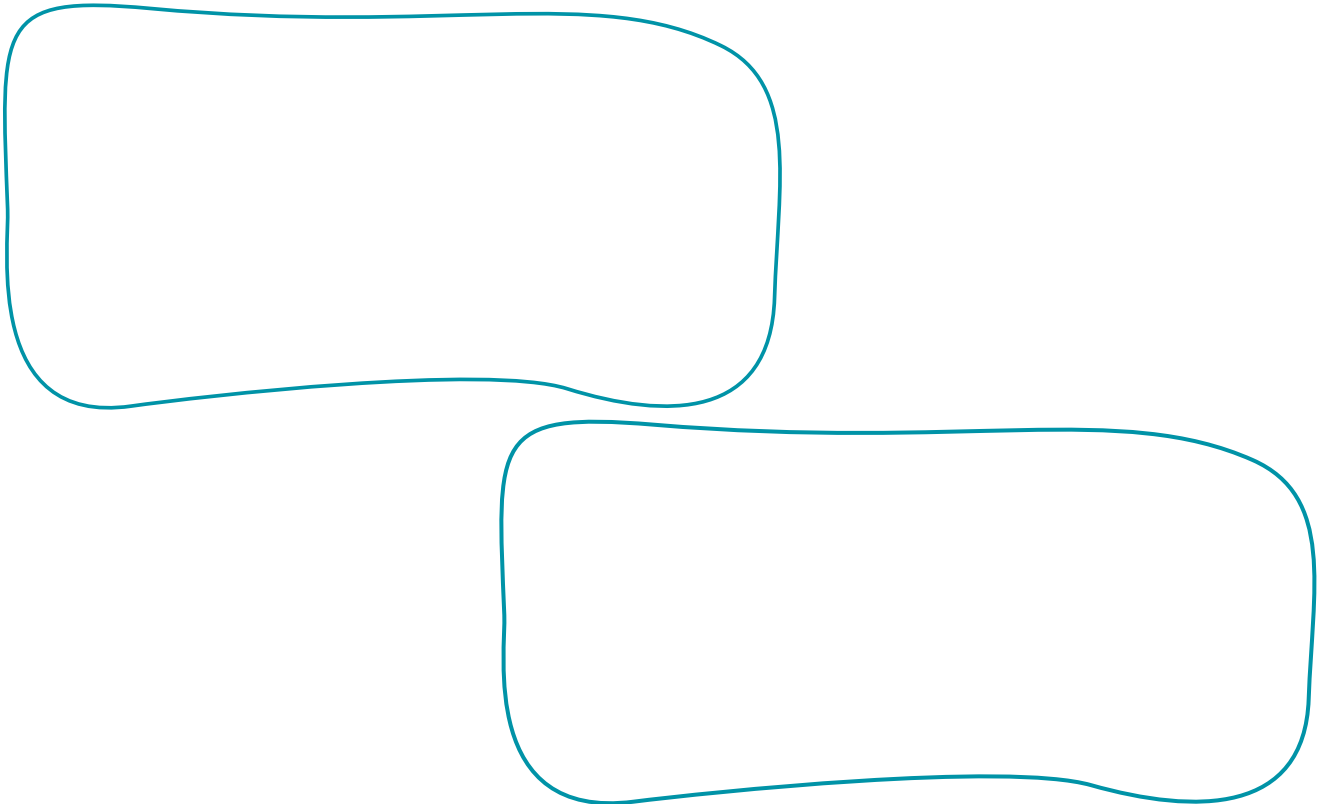
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Two large, hand-drawn, rounded rectangular boxes for sketching ideas. The top box is on the left and the bottom box is on the right, both outlined in a teal color.

Play with the key messages from the Module. Say them out loud, put a rhythm to the sentences, add beatbox, dance and rhyme sometime!