

National Law Week 2015

Clued up Kids Competition Introduction



Proudly sponsored by



WELCOME.....

Trinity College Georgiana Molloy Anglican School
Sacred Heart Catholic School Saint Brigid's School Collie Heritage College
Perenjori Primary School Matthew Gibney Primary School Carmel School
Immaculate Heart College Kensington Primary School
White Gum Valley Primary School Penrhos College Bolgart Primary School
Lake Grace DHS PEAC Programme Newborough Primary School
Attadale Primary School Holy Spirit Catholic School Springfield Primary School
Condingup Primary School Yokine Primary School Esperance Primary School
Francis Jordan Catholic School Geraldton Grammar School
Bungaree Primary School Perth College Maylands Peninsula Primary School
Ardross Primary School Wickham Primary School Curtin Primary School
Westminster Primary School St Joseph's Primary School All Saints' College
Lake Joondalup Baptist College Calingiri Primary School Homeschool
Eneabba Primary School Our Lady's Assumption Primary School



You have been chosen to represent your school in the 2015 CLUED UP KIDS LAW WEEK PROJECT!

Your job is to read all the information you receive, ask questions and figure out which of 3 suspects stole Cara Smine's car; led police on a high speed chase and eventually crashed into a tree.

The Case

Cara Smine parks her car in her driveway when she arrives home from work. After watching The Bold and the Beautiful, she heads off to pilates class. She sees her car is no longer where she left it – it has been stolen!

Senior Constable Getu is patrolling the area in his police car when he hears details of the theft over the police radio. A short time later, the stolen car passes him. Senior Constable Getu activates the police lights and sirens and follows the vehicle. He can see 3 people inside the car and notices they are all wearing dark hooded jumpers.

The stolen car is soon being driven at very high speed and in a very dangerous manner. Fearing for the safety of other road users Senior Constable Getu calls off the chase.

A short time later, following a call to 000, Senior Constable Getu locates the vehicle. It has crashed into a tree at the end of a nearby cul-de-sac and the 3 occupants have run off into the bush.

With the assistance of the dog squad, the three suspects are soon apprehended. They will all be charged with offences relating to the theft of the car. Now police must find out who was driving as he/she will face some very serious traffic offences.

Was it.....

Jack Carrs



Nick Ferraris



Robyn Holdens



You will soon receive a “brief of evidence” which contains witness statements, reports and photos. This information has been gathered by the investigating police officers.

These documents each contain critical information, so it is not wise to jump to conclusions before you consider them all.

Statements will not detail conversations people have had. This is because of a legal rule called “hearsay”. A witness can only recount discussions they had with the defendant (person charged with the offence) or things that were said whilst the defendant was present. Everyone must follow this rule.

Once you have all these documents, you will have all the clues you need to identify the suspect and the evidence you need to charge him or her.





Evidence can take many forms including:

- Witness accounts
- Scientific (e.g. DNA, fingerprint)
- Physical (e.g. tyre marks, blood stains)
- **Expert** (e.g. statement by a qualified professional such as a doctor)

2015 Clued up Kids Competition



- You **CAN** give your team a name if you like.
- You **CAN** talk to your class and teachers about the case.
- You **CAN** use the internet for research.
- You **CAN** ask questions about the evidence, though you are **ONLY** able to ask **6 per school** .
- You **CAN** use power point, role plays, re-enactments, video or other creative elements in your submission.
- **ONLY** members of the investigation team can have a speaking role in the submission (your classmates can be in the background of any DVD you make but they cannot talk).
- You **CAN** brainstorm with schools competing in the New South Wales Clued Up Kids challenge using “connected classroom” or skype.

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TEAM LEADERS

TEAM LEADERS WILL HAVE SOME EXTRA RESPONSIBILITIES

•Please make sure your team's questions are emailed to the Education Officers at schools@lawsocietywa.asn.au. Remember to show your teacher first . You can also telephone us with questions on 9324 8686 . Remember, you can only ask six questions per school so if your school has two teams, you have to share the questions.

•If your team is using power point, DVD or some other form of technology, please make sure you have allowed time to either post it to arrive by no later than 4pm on Wednesday, 6 May or use a drop box to upload it online and send us the password access to download it. Our judges have a very tight timeline to meet and late entries due to technical difficulties cannot be accepted in 2015.

2015 Clued up Kids Competition



A good investigator **ALWAYS** asks lots of questions. It is the best way to get **ADDITIONAL** information. You are allowed to ask **SIX QUESTIONS** per school. These questions will help you obtain extra information – maybe even statements, photos or a report!



You don't have to ask questions, but remember you will not get all available information if you don't.



Your questions must fall within **VERY** strict guidelines.

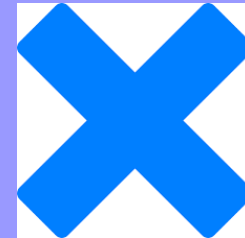
- Questions **MAY** be used to clarify evidence
- You **CANNOT** ask if a certain person is guilty
- You **CANNOT** ask who committed the offence
- You **CANNOT** ask for my opinion
- You **DO NOT** have to ask all your questions at the same time
- You **CAN** wait for an answer to your first question before asking more
- You **CANNOT** ask for a copy of everything the police have, as you will receive this in the brief **AND** because each team must run their own investigation

When asking questions, you should nominate a person who you feel can provide the information, rather than just asking for the detail you want.

EXAMPLE

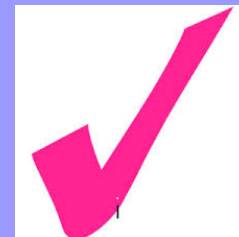
“who owns locker 12?”

(not a good question)



“Please ask the principal to tell us who owns locker 12”

(great question)



PRESENTING *YOUR CASE*

Your team will need to make sure you can answer the following questions:

- ✓ Who was the driver of the car?
- ✓ Do you have evidence to prove your case?
- ✓ Is your submission interesting and creative?



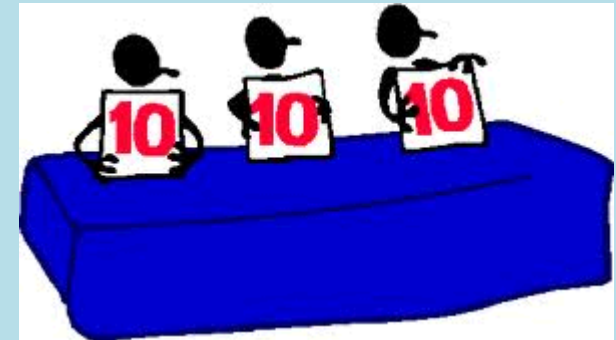
JUDGES

The judges will decide a winner based on

- Correct identification of the suspect
- Supporting evidence
- Creativity

The panel members will include:

- President of the Children’s Court of WA
- Deputy Chief Magistrate of WA
- A WA Police Officer
- A Legal Aid WA lawyer
- A representative from Curtin University Law School



2015 Clued up Kids Competition

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- The winning team will be awarded a trophy and a book pack for their school (or equivalent). Each winning member of the team will receive a medal.

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- The runners up team will receive a plaque and a book pack for their school (or equivalent). Each winning member of the team will receive a medal.

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- A plaque will also be awarded to the ambassador school; chosen by the FBLEP. The ambassador school is selected based on the manner the teams conduct themselves during that process.

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- All participants will receive a certificate.

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WA Clued up Competition Winners

2014

First Prize: Trinity College

Runners Up: Mandurah Catholic College

Ambassador School: Springfield Primary School



Interstate Challenge Winner

2014: *Trinity College, Perth, W.A*

Now you have all the information you need on how the project works so you should be ready to read statements, ask questions and solve your case.



Education

Classes from any school are most welcome to attend the Francis Burt Law Education Programme (FBLEP) to view a Magistrates Court sitting and participate in a mock trial. You will need to phone and arrange a suitable time.

Phone: 9324 8686

Email: schools@lawsocietywa.asn.au

The FBLEP has a [Lawyer Visits to Schools Network](#) available where you can arrange to have a lawyer come and talk to your students.

Schools outside the Perth Metropolitan area can also contact their nearest Magistrates Court for information regarding court tours and school visits.

MAGISTRATES COURT

Most cases in WA begin in the Magistrates Court, which has both criminal and civil jurisdictions. Magistrates Court matters include:

- Criminal – summary matters (eg traffic offences, shoplifting, disorderly conduct);
- Civil - claims for debt or damages and non-offence based matters (eg dividing fences, extraordinary drivers licence applications, restraining orders); and
- Committals to the District and Supreme Courts for serious indictable matters.

The judicial officer in the Magistrates Court is a Magistrate who is referred to as “Your Honour”. Magistrates do not wear robes or wigs.

Legal Terms

BRIEF OF EVIDENCE: The documents, including statements and photographs, that the police prosecutor will rely on in a case against a person charged with a criminal offence.

CHARGE: When the police formally accuse a person of committing a criminal offence.

EVIDENCE: Verbal or written statements of witnesses, documents and other items used to support a party's case in court.

HEARING: The time when the parties present their evidence to the court and make submissions on the law that applies to the case. After the hearing the court makes a decision in the case.

HEARSAY: Something that was not personally seen or heard by the person giving evidence but told to them by another person.

JUDICIAL SUPPORT OFFICER: A person who sits in court directly in front of the Magistrate and makes sure the Magistrate has all of the paperwork that they need for each day in court. The JSO also prepare forms for the court such as arrest warrants and bail papers.

JURISDICTION: The authority of a court to decide matters brought before it. The authority may be limited by the place where the dispute arose or an offence was committed, the kind of dispute, the amount of money in dispute or the seriousness of an offence.

MAGISTRATES COURT: A lower court in WA, which has the jurisdiction to hear less serious criminal and civil matters.

MAGISTRATE: A judicial officer appointed to hear and determine civil and criminal matters in the Magistrates Court.

ORDERLY: In the Magistrates Court the orderly is a security officer who announces the opening and closing of court and calls out each case that is going to be heard.

POLICE PROSECUTOR: A specially trained police officer appearing in court representing the police in relation to criminal cases.

SENTENCE: An order made to impose a penalty to a person after they have been found guilty of an offence or entered a plea of guilty to an offence.

WITNESS: A person who saw, heard or experienced something and can give a first hand account

RESOURCES

www.Legalaid.wa.gov.au

[Francis Burt Law Education Programme](#)

www.lawlinks.com.au/#Western_Australia

www.magistratescourt.wa.gov.au

www.lawsocietywa.asn.au