

A REP GUIDE TO THE POLICE: THE BARN BROS GET INTO TROUBLE



community law

free legal help
throughout aotearoa

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SLIDE 1: BACKGROUND MATERIAL

Use this information to inform your teaching.

How to deliver a REP module

Kia ora! Thank you for being a REP volunteer. Your participation in The REP will help young Aotearoians become more aware of their legal rights and responsibilities. By connecting young people with local support services, you will also help build a stronger community for all of us. So... what do you need to need to know about delivering a module?

Know your Community Law Centre

- The most important thing about The REP is the connection you can build between members of your community and your local Community Law Centre.
- If a class takes only one thing out of a workshop, it should be that if they have a legal problem they can get help from a Community Law Centre.
- Use the REP modules as a way of talking about how Community Law Centres, other community-based services and lawyers can actually help. If anyone in your class asks for help or needs legal advice (which you are not allowed to give if you are not a lawyer), direct them to their local Community Law Centre.
- Consider going the extra step: go along with a student to the Community Law Centre so they don't feel alone or intimidated.

Know the audience

- The second most important thing about The REP is that our education is meant to be interactive and fun. Getting your audience to relax and have a laugh is as important, if not more important, than talking about the law.
- Treat this teaching resource as a guide only; try hard to deliver the material in a way that will suit your audience and that your audience will enjoy.
- REP modules are learner-led. There is no need to cover all the material in the time you have been given. See where the conversation goes, focus on what the class identifies as being important or relevant, and explore those ideas. Just to repeat: there is no need to get through all the material!
- Every group you work with will be different, with different levels of knowledge, different needs, and different expectations. Let the group both guide and teach you; work together to build a picture of how the law actually works in New Zealand.
- In general, everybody likes to know why they are here, whether it's relevant, and how long it will take. Make sure you signpost what the module is going to cover, by explaining or perhaps writing up a short plan on the board.
- Try and get to the heart of the matter: talk about the real world, and the greater social implications of the law. You will get much more out of it, and so will your class.

Know some different teaching styles

- Everybody learns differently. Very few people enjoy being lectured to!
- Some people like to visualise what they're learning (by seeing it written down, making a list, studying a face).
- Some people need to hear things to take them in (maybe by taking part in a role play or a discussion, or by using rhythm or sound as memory aids).
- Other people prefer to move around: they learn best if they're up on their feet and active.
- And others learn with their hands. They like to get creative, draw things, cut things out, make projects or demonstrations.
- The games in this module attempt to cater for every different kind of learner. Work hard at improving your own teaching practice so that everybody can get involved in the class.

Know the games

- These modules are structured so that all the important information can be covered using the games only.
- The games aim to get your class thinking about the issues being discussed and engaging with them in a practical way.
- Know and understand the way the games are run, so you can lead them smoothly and effectively.
- If you can think of more diverse, more engaging and more fun games and exercises, please do. Just make sure you feed these new improved games back to us at The REP.

Know the law

- You need to be up-to-date with the area of law this module covers.
- The background material in this guide is to help you learn the law. The Community Law Manual is also a fantastic guide to all the areas of "community" law. Check out a hard copy at your Community Law Centre or look up the online version: www.communitylaw.org.nz.
- It's always helpful to have some examples up your sleeve of how the law works in practice: if in doubt, talk to your friends, family, teachers, or the lawyers and other kaimahi at your Community Law Centre.

Evaluations

- Getting feedback is essential to improving the REP modules. Please ensure you leave enough time at the end of the class to hand out and collect the evaluation forms.
- And don't forget to fill in your tutor evaluation form!

Last, but not least...

... Smile! Enjoy yourself, have a laugh, and thanks again for volunteering your time.

WHAT YOU WILL NEED:

- Projector and laptop
- Slides (Ctrl+L for fullscreen)
- Chocolate
- Scissors (ideally 1 between 2) & glue

Printing:

- Teaching guide
- Evaluations x 1 per student
- Tutor self-evaluation x 1
- Game #2 (pg 11) A4 x 1 per student
- Game #3 (pg 15) A3 x 1 per group
- Game #4 (pg 22) A4 x 1 (cut out before)

SLIDE 2: INTRODUCING THE BARN BROS



GREETINGS

- "Kia ora, talofa lava, ni hao, hello" (introduce yourself, your name, a bit about yourself).
- "This session is brought to you by the Community Law Centre and The REP: the Rights Education Project".
- Introduce the Community Law Centre: Make sure everyone knows how to get to there – perhaps by drawing a map on the whiteboard.
- Introduce the REP.
- This module begins with an "icebreaker" to make it easier for participants to feel comfortable contributing to the workshop and for you to learn your students' names: don't forget them!

THE BARNYARD BROS

- The REP is based on some characters called The Barnyard Bros.
- Use either a hard copy REP Poster, the Powerpoint, or the Prezi show, to zoom in on the characters in this module, and to talk about what kind of animals they are.
- This Police module mainly follows Sione the Sheep and Dougy the Dog, as they get into trouble, learn about their criminal rights, get questioned by the Police and go to Court.

SLIDE 2: BACKGROUND MATERIAL

Learn this information and integrate it into your teaching. Don't read it out word for word!

Community Law Centres

- We provide free legal advice, on most topics. You can see a lawyer, for free, on anything to do with employment, family, criminal, tenancy, debt, and beyond.
- Community Law Centres are situated throughout New Zealand and you can locate your nearest one at www.communitylaw.org.nz/your-local-centre/find-a-community-law-centre/. Make sure the class knows where to find their local Community Law Centre. For example: Your nearest Community Law Centre is in Wellington Central at 84 Willis Street Level 2 or in Lower Hutt at 59 Queens Drive. Come in and see us some time!

The REP – Rights Education Project

- We are a team of volunteer students keen to let you know your legal rights and responsibilities.
- We can present the law on a number of areas, but if you have anything you are particularly interested in, we are always open to new ideas!

Community Law Manual

- Have a look through the Police Powers section in Chapter 28 of the Community Law Manual.
- Check out a hard copy at your Community Law Centre or look up the online version: www.communitylaw.org.nz.

Meet the Barn Bros in this Module

- **SIONE THE SHEEP:** Sione is a happy, sensible sheep with a lot of get up and go. Like all of us, Sione sometimes gets into trouble, but unlike most of us, Sione doesn't ignore his problems. He's always up for trying to get justice for himself and his mates.
- **HONE THE HORSE:** Hone is a rare breed: a "community police officer". He's out to ensure the Barn Bros are safe. He likes things to be in order, and he's very forgiving.
- **DOUGY THE DOG:** Dougy gets up to all sorts of mischief, and is always trying to pressure his friends into doing the same. He's a thrill seeker, and often doesn't realise that what he's doing is hurting the animals around him.

SLIDE 3: CONTENT OF MODULE



STORYLINE

- Use the storylines provided to ground each section of the module. Take turns reading out the storyline before starting the next game. The idea is to explain what the characters are up to in the slides – to give the class something to look at and think about while everything else is going on:
- “Sione the Sheep and Dougy the Dog are good mates. They have a lot of fun and sometimes get up to a bit of mischief. Sione is worried they’re going to get in trouble and wants to know what his rights are if he has a run in with the Police, what happens if he gets arrested, and if he can use his diversion.”

THIS MODULE WILL COVER

- Take a moment to explain the content of each of the four sections in your own words.
- Write this on the board if you think it will help ground the class.
- Let the class know how long each section will take - four games, each around 10-15 mins.
- The material you will cover is:
 - o Victim, witness, suspect
 - o Your rights
 - o Free lawyers and going to court
 - o Convicted?

ICEBREAKER: “POLICE BRAINSTORM”

- The idea of this icebreaker is to encourage participation and to introduce the class members. Work hard to remember the names of everyone in the class.
- Ask the class to introduce themselves and tell everyone a word they think of when they think about the police.
- You could draw out a discussion based on the following questions:
 - o So what do you guys think about the police? Where do you get this idea from?
 - o If a crime is committed, who are the victims? What do you have to do when you see a crime happening?
 - o Do you know any stories about people dealing with police - are they positive/negative?

SLIDE 4: VICTIM, WITNESS, SUSPECT



STORYLINE

- "Sione and Dougy are hanging out at Sione's place, and Dougy is telling Sione about the time his big brother was arrested. Dougy says that his brother was treated really badly and didn't do anything wrong, and that the police are all "dickheads". Sione isn't so sure, and he thinks that the Police do a lot of good work protecting people and keeping the community safe."

THIS SECTION AIMS TO BRING OUT THE FOLLOWING IDEAS

- Victims
- Victim Rights
- Witnesses + Suspects

GAME #1: "WHODDUNIT?"

Presenters:

- Read out the scenarios and ask the students to identify who they think is the witness, the victim, and the accused!
- First person to put up their hand and give the right answer gets chocolate!
- Field the discussion by asking questions such as:
 - o What advice would you give to the victims of a crime? What about the witnesses?
 - o Has anyone had similar experiences with the police?

POLICE GAME #1: WHODDUNIT?

Read out the scenarios and ask the students to identify who they think are the witnesses, victims, and suspects!

Scenario	Who is the victim? Who is the witness? Who has rights?
<p>Dougy the Dog is involved in a fight on the street with some guys from a rival school. Sione the Sheep watches the fight and sees one of the guys throw a bottle at Dougy!</p>	<p>Victim: Dougy Witness: Sione</p>
<p>Dougy's big brother is trying to make some quick cash by selling beer to Sione and Dougy outside school. Hone the Horse passes by and Dougy's big brother who runs away, knocking Sione over!</p>	<p>Witness: Hone Suspect: Dougy's big brother Victim: Dougy, Sione</p>
<p>Dougy's big brother got arrested by the police and was tasered when he called the constable a "dick". Dougy saw it happen and doesn't think it was fair!</p>	<p>Victim: Dougy's big brother Witness: Dougy</p>
<p>There's talk of a sheep wearing a red cap who's been shoplifting at the local dairy. One day the dairy owner sees Sione enter the store, grabs him and locks him in the shop's backroom!</p>	<p>Victim: Sione Witness: Sione</p>



SLIDE 4: BACKGROUND MATERIAL

Learn this information and integrate it into your teaching. Don't read it out word for word!

Victim

- The law defines victims broadly. Victims are:
 - o People who've had crimes committed against them
 - o Other people affected by that crime (including family members, for ex-ample, if their loved one has been injured or killed)
 - o Witnesses to a crime

Victim rights

- The police will almost certainly want to talk with a victim of crime. When dealing with victims of crime, the police must:
 - o Treat them with respect
 - o Make sure they know about services that are available to them, including Victim Support services, and available medical, welfare, counselling or legal care
 - o Tell them about the progress of the investigation and court proceedings
 - o Give them a chance to have a say about things like whether the offender should have name suppression
- Victims of serious crimes have additional rights under the Victims' Rights Act. Anyone in this position should come and talk to the Community Law Centre.

Witness

- If you have seen someone committing a crime, you can report it to the police and make a statement.
- But you do not have to report a crime.
- However, if you do report something and make a statement, and the police decide that you are an important witness, the police can make you give evidence in court.
- If the Police are asking you questions as a possible witness they do not have to read you your rights, but they do have to treat you with patience and sensitivity (see victim's rights). They can't threaten or bully you.
- If you are afraid to report a crime: Call CrimeStoppers on 0800 555 111.

SLIDE 5: YOUR RIGHTS



STORYLINE

- “Dougy and Sione have gone out exploring the streets on Friday night. They reach a construction yard with a tractor inside. Dougy’s brother showed him how to hotwire a car last week and he reckons they should go for a joyride! Sione doesn’t like the sound of this, so stays behind as Dougy jumps the fence. All of a sudden there’s a CRASH as Dougy drives into a pole. A police officer appears out of nowhere and starts questioning Sione. He wishes he knew what his rights were...”

THIS SECTION AIMS TO BRING OUT THE FOLLOWING IDEAS

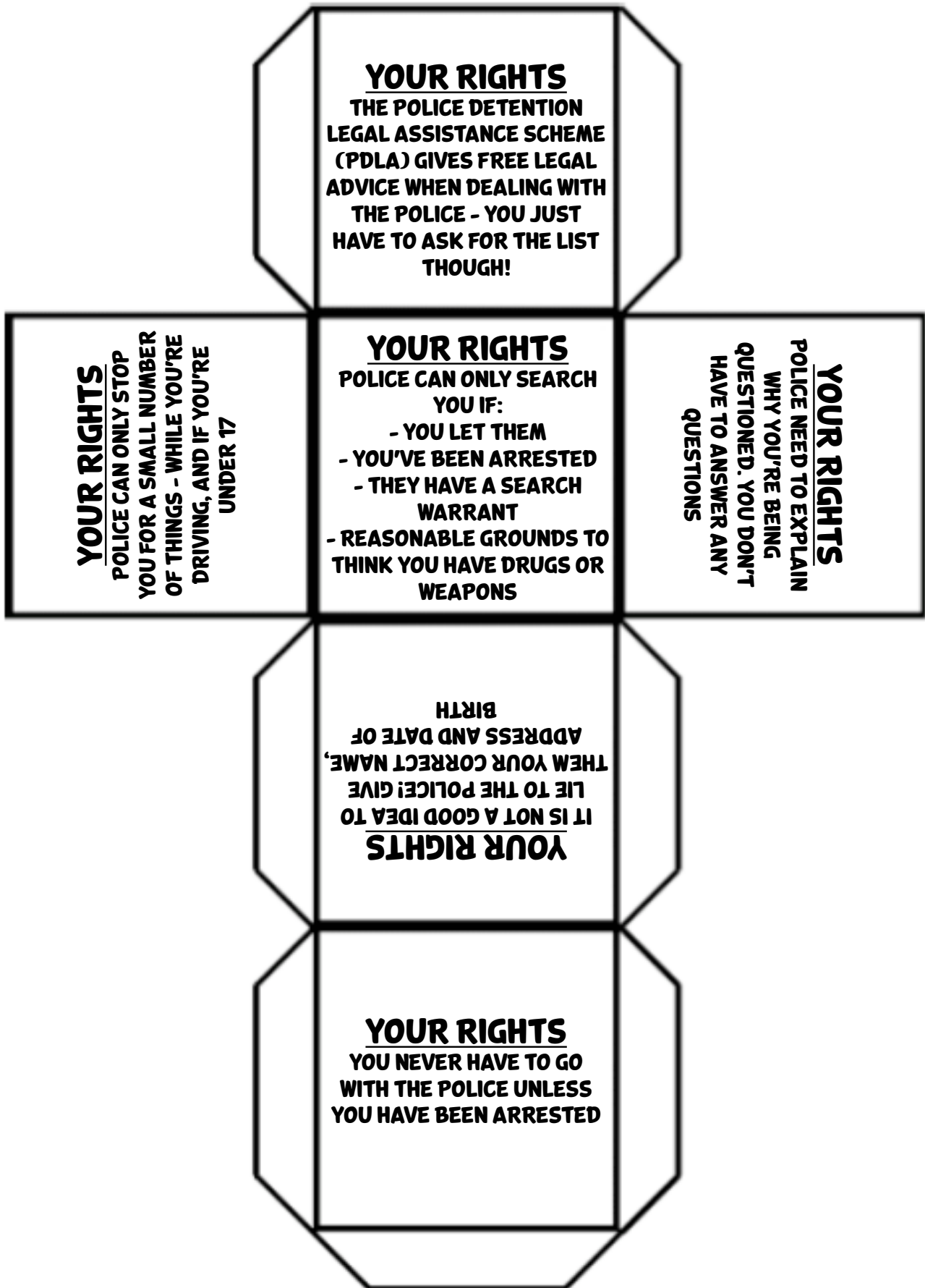
- Being stopped
- Being questioned/interviewed
- Being arrested
- Being searched
- PDLA

GAME #2: “POLICE RIGHTS CUBE”

Presenters:

- Hand out to each student the ‘Police Rights Cube’ printing material.
- Get students to make the ‘Police Rights’ cube using scissors and glue or tape.
- Using the scenarios provided in Game #2, field a discussion around what rights Dougy, Dougy’s older brother, and Sione have when dealing with the police.
 - What could they do when questioned by the police?
 - What if the police were not listening to your story?
- Reward good contributions to the discussion with chocolate!

POLICE GAME #2: POLICE RIGHTS CUBE



SLIDE 5: BACKGROUND MATERIAL

Learn this information and integrate it into your teaching. Don't read it out word for word!

Being stopped

- Police can only stop individuals for a relatively small number of things:
 - If they think that you have committed a crime
 - If you are driving a car or other vehicle, or riding a motorcycle, bicycle or other vehicle
 - If they think you should be at school
 - If you are under 17, they think you are "at risk" and in a situation that's bad for you

Being questioned

- Police are allowed to come up and ask anyone questions, so what do you have to tell them?
 - As a general rule, nothing
 - But in lots of situations, you do have to tell them your correct name, address and (if it's relevant) date of birth, for example, if you are suspected of a sale of liquor offence, or of being truant from school
 - After that, you have the right to silence and do not have to answer any other questions
 - You can talk to a lawyer before saying anything, and even after talking to a lawyer, you can still remain silent
 - Say: "I want to remain silent" but it is best to remain polite as attitude only causes more problems
- If you are under 17 and the police think you have committed an offence, they must explain your rights (including the right to a supportive adult, and the right to talk to an adult or lawyer in private) before they question you.

Police interviews & questioning

- If you are questioned by the police and suspected of being involved in an offence, the police officer must explain:
 - You don't have to make a statement to a police officer (that means you don't have to say anything to the police officer about it) – you can keep quiet, but you do have to give them your correct name and address
 - If you do talk to the police, you can stop talking to them at any time
 - Any statement you make can be used in evidence (that means it might be shown in court and to the jury if you are charged)
 - You are entitled to consult with, and make or give any statement in the presence of a lawyer and any person they request (you may or may not want to call your parents, maybe a good friend or your partner)

Being arrested

- No one has to go with the police unless:
 - You have been arrested
 - You are under 17 and drunk, high or at risk of being harmed or harming someone
 - You failed a breath screening test
- The police can arrest anyone if they have good cause to suspect they have 'breached the peace' (caused a disturbance), or committed a crime that is punishable with a prison sentence.
- If you are under 17, the police also need good cause to think that arresting you is necessary to stop you committing another crime, to get you to court, or to stop you interfering with a witness or evidence.
- If the police want you to go with them it is best to ask if you have been arrested.

Being searched

- The police can only search a person, bag or car if:
 - You let them - unless you're under 14, in that case they can only search a car you're driving if you don't have any passengers who are 14 or over
 - You have been arrested
 - They have a search warrant
 - They have reasonable grounds to think you have drugs or weapons

- If you don't agree to a search, you must say so. Silence is taken as agreeing. If you are female, usually only police women can search your person.
- Alcohol: The police can search you if you have entered an alcohol ban area. You can avoid the search by leaving the area and the police have to tell you this.
- Stolen goods: The police can also search your car if they have reasonable grounds to think it contains stolen goods but they must tell you what legal power they're using.

In the car

- Police have more search powers in relation to drivers than in most other situations.
- Police can stop anyone at any time, if you are driving a car or other vehicle or riding a motorcycle, bicycle or other vehicle for example for a random breath-test.
- If you are stopped, you **MUST** give the police your name, address, date of birth, the name of the car's owner (if it's not your car) and show your driver's licence. If you refuse, you can be arrested.
- Police can also search your car, if they think you might have drugs or a weapon, or they have a search warrant.
- Note: More about this in the Cars, Cars, Cars Module.

The Police Detention Legal Assistance scheme (PDLA)

- Usually, no one has heard of the PDLA, the Police Detention Legal Assistance scheme.
- This is one example of a free service that everyone has the right to access, but people can only access it if they know about it.
- This scheme offers free legal advice for people being questioned, arrested or held or by the police. This means, if police arrest you or search you on the street, you can phone a lawyer, for free.
- The police will give you a list of lawyers and their phone numbers. Police don't have to give them the list if you don't ask for it – so people should **ASK** to see the list of lawyers who they can contact immediately.
- You have the right to talk to the PDLA lawyer in private.
- If your friends are in trouble, make sure they know about this! It's free and available at all times (day and night) to everyone.
- Note that advice is usually given over the phone, not in person. At home, in the street, at a police station, in a car. In short, pretty much anywhere.
- **REMEMBER:** No person has to answer the police's questions.

SLIDE 6: FREE LAWYERS AND GOING TO COURT



STORYLINE

- “Dougy has been arrested and has to go to Court. Sione has agreed to come along to support him, as Dougy is a bit freaked out about how it will all go down. He doesn’t know what to do or where to go when he gets there or what the deal is with lawyers - he doesn’t have much money, and there’s no way he wants to tell his parents! Even if he did tell them, they can’t afford to pay for one anyway.”

THIS SECTION AIMS TO BRING OUT THE FOLLOWING IDEAS

- Duty Lawyers
- Legal Aid
- Court

GAME #3: “COURT DRAWING COMPETITION”

Presenters:

- Hand out a “Court Drawing” worksheet to each group: instructions are on the worksheet.
- After completion, go around the groups and get the class to discuss their perceptions of lawyers, judges and the courts.
- Highlight in particular the availability of free legal advice/representation at various stages of the criminal justice process.

POLICE GAME #3: COURT DRAWING COMPETITION

REP: What's in a courtroom?

Draw a picture that represents what you think a courtroom is like.

Or maybe, what a courtroom should be like?



A large, empty rectangular area with a thick black border, intended for drawing a picture representing a courtroom.

SLIDE 6: BACKGROUND MATERIAL

Learn this information and integrate it into your teaching. Don't read it out word for word!

Duty Lawyers

- Duty Lawyers are there to help you when appearing in court on the first day of their case, if you don't have your own lawyer:
 - Duty Lawyers are free
 - Duty lawyers are for everyone, but you need to ask to see them - they won't come and find you!
 - Help the Duty Lawyer help you
- To ensure the best outcomes with Duty Lawyers, you should:
 - Get to court early (as soon as it opens, 8.30am)
 - Write down and bring a statement explaining: What happened and the background and personal situation
 - Bring written character references and, if possible, support people who will vouch for you in person

Legal Aid

- Legal aid is a government programme which pays a lawyer's fees if you can't afford a lawyer to represent you.
- If you are granted legal aid, you may have to pay back some or all of the money.
- Who can apply for criminal legal aid?
 - Anyone charged with or convicted of a criminal offence
 - You don't have to be a NZ citizen or permanent resident
- Unless the crime you have been charged with is very serious, you won't be able to choose your legal aid lawyer.
- See a Community Law Centre for more information!

Court

- After police questioning and /or an investigation, the police may take one of the following options:
 - Give a warning
 - Give a caution (if the person is under 17 they will need to go in to the police station with their parents)
 - Charge with an offence
- People appear in court:
 - If they have been arrested or charged
 - If there is a warrant out for their arrest
 - If they have been summoned to Court (got a notice telling them to be at Court on a certain day)
 - If they have been given bail and told when to be at Court again
 - If a person has heard through the grapevine there's a warrant out for their arrest, they should get a lawyer!
- A no-show: what happens?
 - If you fail to show up at your hearing, a warrant will be issued for your arrest
 - Come to the Community Law Centre or contact your lawyer immediately

SLIDE 7: CONVICTED?



STORYLINE

- “Dougy and Sione are sitting in the back of the courtroom, waiting for Dougy to be called up. He has seen the duty solicitor and knows roughly what’s going to happen, but isn’t sure what his punishment will be – if any. Dougy has heard something about “using his diversion”, but isn’t sure about how it all works.”

THIS SECTION AIMS TO BRING OUT THE FOLLOWING IDEAS

- Diversion
- Discharge without conviction
- Criminal Records
- Clean Slate Act

GAME #4: “ASSASSINS AND JURORS!”

Presenters:

- This game is a hybrid of wink murder and mafia/werewolf.
- There are two roles in the game: assassins and jurors (for a group of 10 people: 7 jurors + 3 assassins).
- The aim of the game is for either the jury to convict the assassins (by voting on whether the accused assassin is guilty), or the assassins to assassinate the jury (by convincing the jurors that they are not assassins).
- Get everyone to sit in a circle:
 - Hand out one card to each person face down which only they can look at
 - The card will say you are either a jury member or an assassin
- The game starts with the presenter telling everyone to close their eyes NB You can make up a story e.g. “It was a dark and stormy night and all the villagers were asleep - everyone close your eyes... No chocolate for peekers!!!”
 - Once all eyes are closed, ask the assassins to open their eyes. Given it’s the first turn, they will find out the other assassins. The presenter asks the assassins who they wish to kill. They silently agree (by pointing) who to ‘kill’ that turn. Once they have selected someone, the presenter asks them to close their eyes.
 - The presenters ask everyone to open their eyes and announce who the assassins tried to kill in the night.
 - Explain that the person has a lifeline question which will allow them to stay alive. If they get the question wrong, they die. If they get the question right, they get a chocolate and have a chance to accuse someone of their murder! Whether or not the lifeline question is answered correctly, it is then up to the group to discuss and vote on who the assassin is. To convict the assassin, they need a majority vote. When the vote is cast, the accused must flip over their card and either way are “convicted” and out of the game.
 - The game continues in this cycle, with everyone closing their eyes, the assassins selecting someone to try and assassinate, that person answering a lifeline question, and debate and votes to determine who is the assassin.
 - The game continues until there are only jurors or only assassins left!

POLICE GAME #4: ASSASSINS AND JURORS!

- The questions in this game cover what your options are if you plead, or are found guilty.
- Don't forget to mention your right to plead not guilty! Never plead guilty because it seems easier, faster, or to protect others.
- These questions will mostly be around Diversion which in brief is "a scheme that allows for some offenders who have been charged to be dealt with in an out of court way. If the offender completes the agreed conditions, the police can seek to have the charge withdrawn and a conviction will not be recorded."
- There are also some questions about discharge without conviction and what it means to have a criminal record.

<i>Lifeline Questions...</i>		
1.	Dougy's already had diversion once, can he get it again?	Yes. You can sometimes get it for a second offence to avoid a conviction, but it will depend on a number of different factors. <ul style="list-style-type: none"> • For example, what the offence is and how long ago you used your first diversion and if you've been convicted of other crimes since.
2.	Can Dougy get Diversion for any kind of offence? For example serious drug and traffic offences...	No. Diversion is available where: <ul style="list-style-type: none"> • The offence is minor (for example, minor shop lifting) or someone can explain why the offence was a one-off (for example, it was out of character, due to stress). • Can be first or subsequent offence • The person admits full responsibility (they say they did it). But it is not available for: <ul style="list-style-type: none"> • Drink driving offences (where there is a mandatory sentence, for example, mandatory 6 month driving disqualification). • Serious offences, for example, serious drug and traffic offences.
3.	Who decides if Dougy gets Diversion? A Judge, lawyers, or the Police...	The police. Diversion is not an automatic right. They will take into account the victim's views and consider all the circumstances of the case.
4.	Dougy was caught drink driving once, but was discharged without conviction, can he get diversion too?	<ul style="list-style-type: none"> • If anyone is found guilty of an offence, but the Judge decides that the consequences of a conviction would be far worse than the crime itself, the Judge can discharge that person without a conviction. This means they will not have a conviction on their record. • Diversion is decided by the Police and is for minor offences and usually first time offenders. For example, you can apply for a discharge without conviction for a drink driving charge, but diversion isn't available for a drink driving charge.
5.	If Dougy is convicted of a crime, this conviction will be listed on their criminal record. Think of two ways of how having a criminal record can have a negative effect on Dougy in the future?	<ul style="list-style-type: none"> • More likely to receive a harsher punishment if they go to court again. • It's difficult to travel overseas: most countries require travellers to state past arrests or convictions on immigration forms. • Job applications: if asked, people must declare convictions when they are applying for a job - if they don't, they can be fired for dishonesty down the track. Having a criminal record may make it harder to get jobs. • You can request a copy of your criminal record by filling in this form: www.justice.govt.nz/services/criminal-records/forms/request-by-individual.pdf

<p>6.</p>	<p>Name two offences that you Dougy can't get Diversion for?</p>	<ul style="list-style-type: none"> • Anything serious, purely indictable offences (for example, sexual offences, serious drug offences) • Traffic offences that carry a mandatory minimum disqualification • Burglary (in most circumstances) • Dishonesty offences where there has been a breach of trust
<p>These last two questions are going over what you should've just covered in the previous section:</p>		
<p>7.</p>	<p>Legal aid lawyers are free lawyers for anyone who can't find a lawyer. True or false?</p>	<p>FALSE. Legal aid is a government programme which pays a lawyer's fees if a person can't afford a lawyer to represent them. If a person is granted legal aid, they may have to pay back some or all of the money.</p>
<p>8.</p>	<p>Who are duty lawyers? (We've just talked about this...)</p>	<p>Duty Lawyers are for people appearing in court on the first day of their case, who don't have their own lawyers:</p> <ul style="list-style-type: none"> • Duty Lawyers are free • Duty lawyers are for everyone, but you need to ask to see them - they won't come and find you!

SLIDE 7: BACKGROUND NOTES

Learn this information and integrate it into your teaching. Don't read it out word for word!

Police diversion scheme

- In this section, we discuss what happens if you plead, or are found guilty. Don't forget the right to plead not guilty!
- Never plead guilty just because it seems easier, or faster, or to protect others.
- Diversion allows first time offenders (and sometimes repeat offenders) to avoid a conviction. Diversion is available where:
 - An offence is minor (for example, minor shop lifting) or someone can explain why the offence was a one-off (for example, it was out of character due to stress)
 - It can be a first or subsequent offence
 - The person admits full responsibility (say they did it)
- But diversion is generally not available for:
 - Drink driving offences
 - Serious offences, for example serious drug and traffic offences
- Diversion is not an automatic right – the Police decide who gets diversion. They will take into account the victim's views and consider all the circumstances of the case.
- To get diversion, you will also need to agree to a number of conditions. Depending on your circumstances, these could include:
 - Paying money to a victim or writing them an apology letter
 - Meeting with the victim
 - Fixing damage done to property
 - Community service
 - Drug or alcohol counselling
- If you complete all the diversion conditions, the charges against you will be withdrawn.

Discharge without conviction

- If anyone is found guilty of an offence, but the judge decides that the consequences of a conviction would be far worse than the crime itself, the judge can discharge that person without a conviction – this means they will not have a conviction on their record.

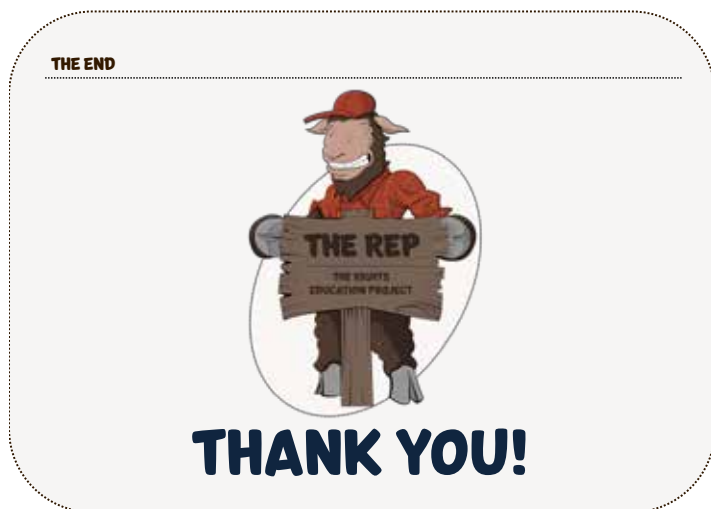
Criminal record

- If you are convicted of a crime, this conviction will be listed on your criminal record.
- Having a criminal record means:
 - You are more likely to receive a harsher punishment if you go to court again
 - Your future plans will be affected. For example, it's difficult to travel overseas: most countries require travellers to state past arrests or convictions on immigration forms. For example, Chris Brown was denied a work visa to perform a concert in the UK because of his 2004 assault convictions against Rihanna.
 - Having a criminal record may make it harder to get jobs. With job applications: if asked, you must declare convictions when applying for a job - if you don't, you can be fired for dishonesty down the track
 - Request a copy of your criminal record by filling in this form: www.justice.govt.nz/services/criminal-records/forms/request-by-individual.pdf

Clean Slate Act

- If you have been convicted of a less serious crime, after seven years that crime will be wiped from your criminal record. This means that you won't have to declare it when applying for jobs.
- However, you may still need to declare your convictions for other countries' visa applications - it will depend on that country's law, not on New Zealand law.
- To find out if you are eligible, apply for a copy of your criminal record - if the conviction is not listed, you now have a "clean slate".

SLIDE 8: CONCLUSION



WRAPPING UP

- Hand out the evaluation forms: make sure everyone fills one in (Note: explain that chocolate can't be their favourite part).
- Find your own way to wrap up the class: thank everyone for participating.
- Remember to link people in with the Community Law Centre if needed.
- Follow up on any questions or issues: bring the correct answers to your next class.
- Fill in one tutor evaluation form between the two presenters.
- Have a rest!

**POLICE GAME #4: ASSASSINS AND JURORS
PRINTING MATERIALS**

ASSASSIN

JUROR

ASSASSIN

JUROR

ASSASSIN

JUROR

JUROR

JUROR

JUROR

JUROR