



# The Law Society<sup>®</sup>

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The **voice** of the **legal profession** in Western Australia

Francis Burt Law Education Programme

## Rule or Law?

TEACHER'S NOTES

*The **voice** of the **legal profession** in Western Australia*

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### West Australian Curriculum Link

The game of 'Rule or Law?' was devised specifically for the Year 4 West Australian Civics and Citizenship Curriculum as follows:

- The differences between 'rules' and 'laws'.

This resource could also be used by Year 3s as students at this year level also look at rules as part of the Humanities and Social Sciences Civics and Citizenship WA Curriculum.

### Year 4 Civics and Citizenship

Key questions:

- What is the difference between rules and laws and why are they important?

### Rules vs. Laws

The difference between rules and laws is most evident in the way that laws are established.

Laws can be established in only two ways:

1. By parliament introducing and passing new legislation; and
2. By the courts establishing common law precedents.

Laws can only be enforced by the courts.

If a person is found guilty of breaking the law, there are set penalties and those penalties are the same for everyone in our community.

In comparison, rules are established by people in authority or by consensus. The penalties for breaking rules differ widely in most circumstances, e.g. penalties for talking in class vary from classroom to classroom.

One common exception identified by students is rules in different sporting codes, e.g. basketball rules, netball rules. Such rules apply equally to everyone and there are prescribed penalties.

Whilst there are rules in different sporting codes, which apply equally to everyone, such rules were established by sporting bodies and not by parliament or the courts and are not enforceable by the courts. They are therefore very different to laws.

### Contents

- 2 x quizzes consisting of 20 'Rule or Law?' questions in total, with different rules and laws in each quiz. (Accessible through the Free Education Resources section on the [FBLEP Education Resources](#) page of the Law Society website.)
- 1 x 'Rule or Law?' Teacher's Notes.

### Warning

Some teachers may be uncomfortable with two of the rules included in the game:

- You can't pick your nose and eat it; and
- You must say excuse me or pardon me if you burp or 'let one slip'.

These have been included as families try to instil both of them in their children and they also create a light hearted atmosphere around the rule or law topic.

### Extension Activities

Teachers may wish to expand the focus of the 'Rule or Law?' game to challenge and encourage students in their study of legal systems.

The following is a list of extension activity ideas:

- Students make their own 'Rule or Law?' quizzes.
- Discuss and compare the penalties for breaking rules and laws.
- Discuss the penalty options when a person breaks the law, e.g. fines, community service, imprisonment, counselling, etc.
- Discuss the problems that a criminal record creates, e.g. reduces employment opportunities, limits overseas travel opportunities and increases social stigma, etc.

## The Francis Burt Law Education Programme (FBLEP)

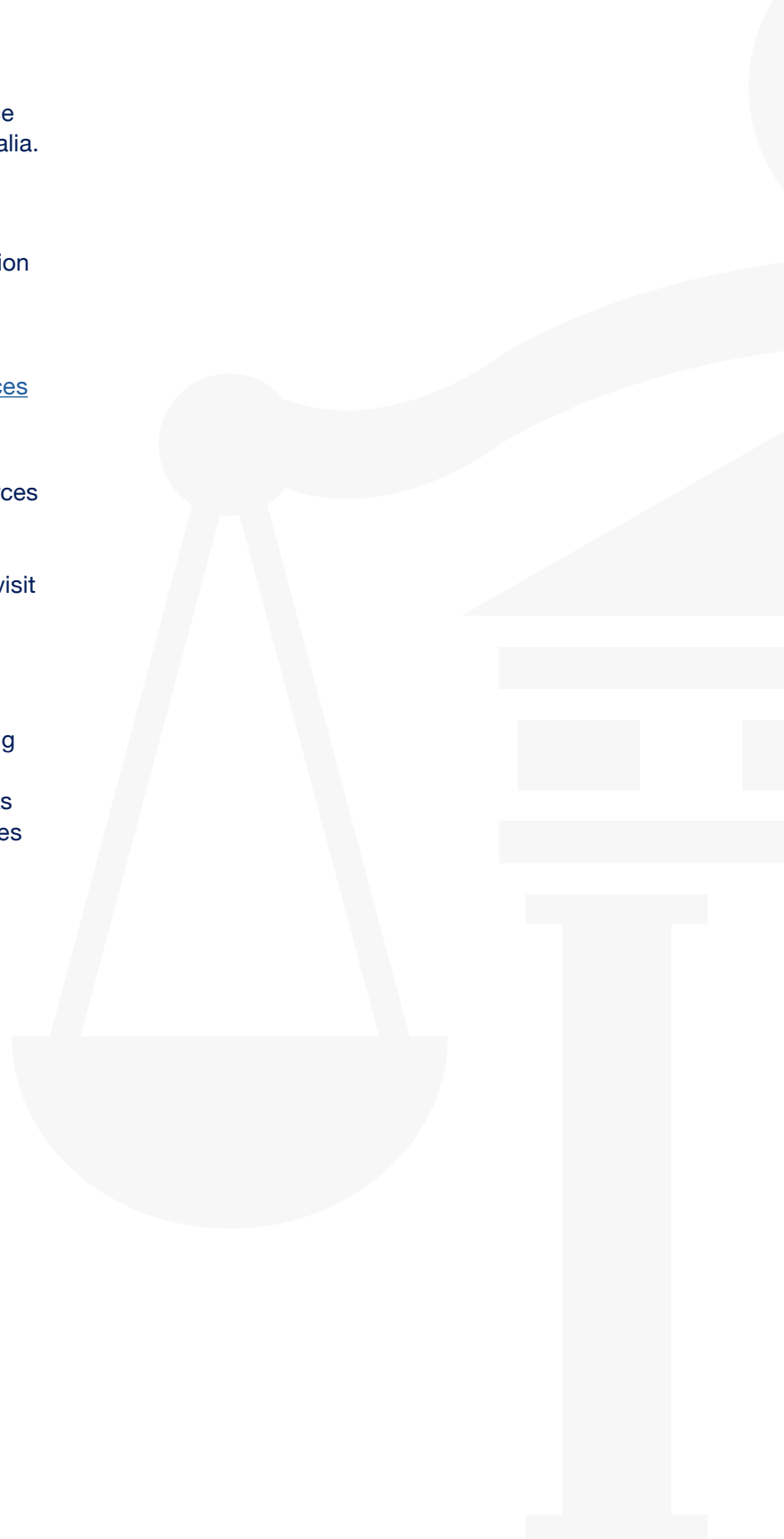
The Francis Burt Law Education Programme (FBLEP) is a community legal education service provided by the Law Society of Western Australia.

The FBLEP operates from the oldest building in the City of Perth: The Old Court House.

The FBLEP facilitates community legal education programmes such as mock trials, empty court activities, observing a court in session and museum activities. Legal education resources are available on the [FBLEP Education Resources](#) page of the Law Society of Western Australia website.

The FBLEP Year 3, 4, 5, 6 activities and resources are mapped to the West Australian Curriculum (Civics and Citizenship, History and English). The FBLEP Year 3-6 classroom/pre and post-visit online student and teacher resources can be utilised as classroom resources by schools that are not participating in FBLEP visits. The majority of the activities and tasks within the resources are not reliant on students having participated in FBLEP tours. The teacher resources include suggested answers and links to additional resources. The post-visit resources also include suggested assessment tasks: [FBLEP Primary Education Resources](#).

**The FBLEP Education Officers can be contacted on (08) 9324 8686 or at [schools@lawsocietywa.asn.au](mailto:schools@lawsocietywa.asn.au).**



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### LAWS

<p><b>You can't put things in your pocket and walk out of the shop without paying.</b></p>	<p>Magistrates Court: Stealing (Any stealing &lt;\$10,000 in value.) Maximum Penalty: 2 years imprisonment and a \$24,000 fine. Note: Where the value of the goods stolen is &lt;\$1,000 the maximum penalty is a \$6,000 fine.</p>
<p><b>You can't write tags or graffiti anywhere.</b></p>	<p>Magistrates Court: Criminal damage (any wilful and unlawful damage where the value of damage does not exceed \$25,000 and is not caused by fire) Maximum Penalty: 3 years imprisonment and a \$36,000 fine.</p>
<p><b>You can't kill someone even if they did something very bad and you don't like them.</b></p>	<p>Supreme Court: Murder Maximum Penalty: Imprisonment for life. The Judge may choose to set a minimum term of no less than 10 years before being eligible for parole, or order the offender never be released.</p>
<p><b>Shops can only sell cigarettes to people 18 or older.</b></p>	<p>Magistrates Court: Sale of tobacco products to minors. Maximum Penalty: The shop owner must pay; First offence \$40,000 fine, subsequent offences \$80,000.</p>
<p><b>You must tell the truth when giving evidence in court.</b></p>	<p>District Court: Perjury Maximum Penalty: Maximum 14 years imprisonment.</p>
<p><b>You mustn't buy, use or sell drugs.</b></p>	<p>Magistrates Court: Drug Use/Possession or Possession with Intent to Sell and Supply Charge will be of simple possession unless amount of drugs gives rise to presumption of possession with intent to sell/supply. For example, a person who possesses 100g or more of Cannabis will be presumed to have intent to sell/supply it. A person in possession of less than 100g would be charged with simple possession. Maximum Penalty: \$2,000 fine or 2 years imprisonment or both. District Court: Possession with intent to sell/supply If the quantity of the drug exceeds a certain weight the charges will be heard in the District Court. For example: Cannabis: 500g or more Methamphetamine: 4g or more Maximum Penalty: \$100,000 fine or 25 years imprisonment or both. Supreme Court: Commonwealth Drug Trafficking Maximum Penalty: \$1,275,000 or Imprisonment for life or both.</p>
<p><b>People under the age of 18 need their Parents' permission to get a tattoo.</b></p>	<p>Magistrates Court: Breach of the Children and Community Services Act (2004). Maximum Penalty: \$12,000 fine or 12 months imprisonment or both for operator.</p>
<p><b>You can't make someone do something they don't want to do by saying you will hurt them, e.g. "I'll smash your head in if you don't give me your mobile phone!"</b></p>	<p>Robbery District Court: Robbery, Aggravated Robbery (e.g., if there is more than one offender) Maximum Penalty: 14 years imprisonment, 20 years imprisonment in circumstances of aggravation. Supreme Court: Armed robbery (the offender had, or pretended to have, a weapon) Maximum Penalty: Imprisonment for life.</p>

<p><b>Only people 18 and over can drink alcohol.</b></p>	<p>Children's Court: Underage drinking  Maximum Penalty: \$2,000 fine.  The licensee of the venue will also be fined up to \$10,000.</p>
<p><b>People aged 16 and under need their parent's permission to get a piercing.</b></p>	<p>Magistrates Court: Breach of the Children and Community Services Act (2004)  Maximum Penalty: \$1,000 fine or 1 year imprisonment or both for operator.</p>
<p><b>Don't ride your bike without wearing a helmet.</b></p>	<p>Infringement: Failing to wear a protective helmet when riding a bicycle.  Maximum Penalty: \$50 fine</p>
<p><b>You can't take something from another person's house without asking.</b></p>	<p>Burglary  Magistrates Court: Burglary (Any burglary where the value of goods stolen is &lt; \$10,000 AND is not committed in circumstances of aggravation, unless the only aggravating circumstance is the offender was in company)  Maximum Penalty: 3 years imprisonment or a fine up to \$36,000.  District Court: Aggravated Burglary on a Dwelling (where circumstances of aggravation are that the offender knew, or ought to have known, that someone would be home at the time, the offender does bodily harm to a person, detains a person or threatens to kill or injure a person, or if a weapon was used) OR Burglary on a Place where value of goods stolen exceeds \$10,000.  Maximum Penalty: Imprisonment for 20 years.</p>
<p><b>You mustn't sniff petrol or glue.</b></p>	<p>Magistrates Court: Supplying intoxicants to people likely to abuse them.  Maximum Penalty: The shop owner may be imprisoned for 12 months and receive a fine of \$12,000.  Police Officers can confiscate any substances they believe are being used as a stimulant.  The police can apprehend and detain intoxicated people until such time as they are no longer under the effects of the intoxicant.  The police will typically recommend community services and/or counselling to people with such issues.</p>
<p><b>You must wear a seatbelt when travelling in a car.</b></p>	<p>Infringement Driver to wear seatbelt/driver to ensure passenger wears seatbelt.  Maximum Penalty: The driver is fined \$500 and 4 demerit points (8 demerit points during a holiday period) plus \$100 per every other unrestrained passenger.</p>
<p><b>You mustn't upset people by sending nasty messages on the computer.</b></p>	<p>Magistrates Court: Using a carriage service (phone/internet) to harass (Federal Offence)  Maximum Penalty: 3 years imprisonment  Note: Which court depends on the nature / content of the messages, e.g. distributing nude pictures of the victim would result in a District Court matter.</p>
<p><b>You can't skateboard on streets with a speed limit over 50km/h.</b></p>	<p>Infringement: Wheeled recreational device prohibited on certain carriageways and at certain times.  Maximum Penalty: \$50.00 fine  Skateboarders are more often charged with criminal damage.  Note: Skateboarding is legal on local roads during daylight where the speed limit of the road is not more than 50 km/h and there is no median strip, painted island, dividing line or more than one lane. The rider must keep left at all times.</p>

<p><b>If a Police Officer questions you, you must answer these 3 questions;</b></p> <ol style="list-style-type: none"> <li><b>1. What's your name?</b></li> <li><b>2. What's your date of birth?</b></li> <li><b>3. What's your address?</b></li> </ol>	<p>Magistrates Court: Fail to Provide Personal Details  Maximum Penalty: Imprisonment for 12 months</p> <p>Another common charge resulting from questioning by the police is Providing False Details.  Maximum Penalty: 12 months imprisonment.</p>
<p><b>You can only drink a little alcohol if you are going to drive.</b></p>	<p>Note: It is best not to drink any alcohol if you are going to drive.  Magistrates Court: Drink Driving  Maximum Penalty: Depends on Blood Alcohol Content and previous offences.  Ranges from \$150 for the lowest level (e.g. Excess .02 with no prior convictions) to \$5,000 for the highest level (Excess 0.15, with prior convictions).  The offender's driver's licence can also be disqualified from 3 months to life.</p>
<p><b>If a security guard tells you to leave the property (e.g. a school or shopping centre) you must go.</b></p> <p><b>Note: Security guards act on behalf of the owner or manager.</b></p>	<p>Magistrates Court: Trespass  Maximum Penalty: 12 months imprisonment and a \$12,000 fine.</p>
<p><b>Police Officers can search you, your bag and/or your car if they believe you have committed a crime or you are about to commit a crime.</b></p> <p><b>Note: A Police Officer is said to have reasonable suspicion in such circumstances.</b></p>	<p>Magistrates Court: Obstructing a public officer  Maximum Penalty: Imprisonment for 18 months and a fine of \$18,000.</p>
<p><b>We must put our rubbish in the bin.</b></p>	<p>Infringement: Littering  Maximum Penalty: \$5,000 fine</p>



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### RULES

You can't put your feet up on the furniture if you are wearing shoes.

We have to line up before entering the classroom.

You can't speak with your mouth full.

Put your hand up when answering a question in the classroom.

You can't pick your nose and eat it.

We must listen without talking when the teacher is speaking.

You must say excuse me or pardon me if you burp or 'let one slip'.

If I have any homework, I have to do it before I start watching TV.

You mustn't eat chips and lollies before dinner.

Don't argue with the referee/umpire s/he always has the final say.

You must flush the toilet after you have used it.

Don't tell lies.

You mustn't go off with strangers.

You can't push someone in the back in Australian rules football.

Only two people can sleep over at my house at one time.

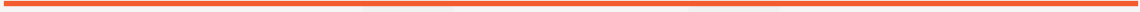
You must brush your teeth before going to bed.

You can't do bombies in the school pool.

You must wear a hat and put on some sunscreen when you are going out into the sun.



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