



# SCHOOLIES

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# FESTIVAL 2019

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SOME TIPS TO ENJOY YOURSELVES SAFELY WHILE  
STILL HAVING A GOOD TIME

GATENBY CRIMINAL LAWYERS

# **FAKE ID's, DRINKING or UNDER 18?**



**If you are under 18, it is illegal to use or make a fake ID. Large monetary fines will be issued on the spot and your ID will be confiscated. These include but are not limited to:**

- 1.Using a fake ID – \$378.00;**
- 2.Lending your ID to a friend – \$630.00.**

## **OVER 18**

**If you are caught drinking alcohol in a public place you will be issued with an on the spot fine of \$126.00.**

**This fine will increase if you are under the age of 18 to \$378.00.**

**Please be wary this may include "holding a drink for your friend".**

# Drugs?



On a serious note, if you are caught with drugs at a festival no matter what state and circumstances you can be brought before the Court for drug-related offences.

Common offences include:

Possessing a dangerous drug (eg. cannabis, MDMA, ecstasy pills, methyl amphetamine);

Supplying a dangerous drug;

Possession of utensils used for consuming illicit drugs (eg. Pipes, bongs, needles and grinders).

Whether you are found to have drugs in your possession, or even just utensils such as a pipe or grinder, the penalty can be severe and imprisonment could be a possibility. A criminal conviction may be recorded in relation to any matter before the court.

**Recording a conviction can affect:**

Employment opportunities;

Travel arrangements;

The ability to obtain various licences (blue card etc.); and;

Residency issues or possible deportation.

**What if I am holding drugs for a friend?**

This does not matter. If you have drugs in your possession, and the police reasonably suspect you had knowledge the drugs were there, you can still be charged.

**Can I give drugs to my friends?**

If the police catch you giving drugs to other people including your friends you can be charged with Supply Dangerous Drugs (QLD) or Supply Prohibited Drugs (NSW).

A conviction for either charge can lead to considerable jail time.



# WHAT HAPPENS IF I GET INTO A FIGHT?

At a large event like Schoolies, a lot can happen, meaning a lot of revellers come together, with emotions running high and the influence of substances can push things over the top. Frequently, individuals can be charged with assault, where a person unlawfully assaults another, by striking, touching, moving or otherwise applying force of any kind to another without the person's consent.

The Law permits a person to use reasonable force to physically defend themselves, or another, against a provoked or unprovoked assault. The person must act in a way that is reasonable in the circumstances and for the defensive conduct to have been proportionate to the threat faced.

## Common Assault Includes:-

Acts of physical violence, such as touching or striking someone;

Treats of violence.

## Aggravated Assaults include:-

Assault of a sexual nature;

Assault of a child under 16; Assault of a female person; and

Assault of a male child under the age of 14.





# WHEN IT'S MORE THAN SEX...

If you make the decision to touch someone sexually or have sex without consent, you are breaking the law and can be charged with a criminal offence.

The same applies even if you have started touching someone sexually or have started to have sex and they withdraw consent. This also applies if someone is forced to do something grossly indecent or witnesses a grossly indecent act. You can be charged with a criminal offence.

It is worth noting that sexual offences are treated seriously and can attract sentences of imprisonment, some sexual offences carry a maximum sentence of life imprisonment.

## What is Consent?

Consent is to give voluntary permission for a sexual act to occur. Both parties prior to engaging in sexual activities, must freely obtain consent without force, intimidation, threats, or a mistaken belief.

**The ability to give or receive consent is effected by taking drugs and/or alcohol.**

# I'VE BEEN ARRESTED!

The most important thing to remember is to remain calm and be polite, becoming aggravated can immediately escalate the situation. When investigating a possible crime, police will try and speak with anyone that they believe can assist them in their enquiries. So if your friend or someone in your group is suspected of a crime, police may want to speak with you.

Similarly, if a police sniffer dog approaches you, remain calm and do not panic or look suspicious. Even if the sniffer dog does not indicate they've smelt anything, police can search you upon reasonable suspicion.

At some large events, police are not required to have any reasonable suspicion to search you.

## **What do I do if the Police ask me to come with them?**

You DO NOT need to go with the police unless you are placed under arrest. Ask "AM I UNDER ARREST?" If the answer is NO, then you are not required to go with them. If you are placed under arrest,



## **YOU NEED TO REMEMBER:-**

**YOU HAVE THE RIGHT TO REMAIN SILENT.**

**YOU ONLY NEED TO PROVIDE YOUR NAME, AND DATE OF BIRTH.**

**ANYTHING YOU SAY TO POLICE CAN BE USED AGAINST YOU.**

**YOU HAVE THE RIGHT TO A LAWYER.**



**THE INFORMATION PROVIDED IS GENERAL IN NATURE AND IF YOU ARE FACING CRIMINAL CHARGES YOU SHOULD CONTACT A CRIMINAL LAWYER TO DISCUSS YOUR PERSONAL SITUATION. THERE IS NO SUBSTITUTE FOR PERSONAL ADVICE.**

**GATENBY CRIMINAL LAWYERS**  
**- 55 800 120**

If you have made a mistake and need the help of a lawyer our trusted team at Gatenby Criminal Lawyers can provide you with detailed advices specific to your circumstances. Please phone our offices on 0755 800120.

We appear in all Courts throughout Queensland, New South Wales, Victoria and the Northern Territory.

Our Southport office is located adjacent to the Southport Courthouse and our solicitors are available 24/7 for urgent legal advice.

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