



Talkin' about **LAW**

An Aboriginal and Torres Strait Islander Legal Service (QLD) project

PROTESTS - WHAT ARE YOUR RIGHTS?



Acts of public demonstration or protest action have often been used to call for or influence changes in government policy, laws or unpopular decisions.

While you have a right to protest about issues that concern you, this right is subject to limitations imposed by law.

Get legal advice

Prior to becoming involved in any protest or public demonstration it's a good idea to get some legal advice from a lawyer. Ask for information on how to organise a particular action and the potential legal consequences. You should also find out what your rights are if you are arrested or charged.

Offences

If you're involved in a demonstration you could be arrested on a number of grounds. They include:

- Wilful damage to property;
- Trespass;
- Unlawful assembly; or
- Assaulting a police officer.

You could also face charges for singing an obscene song, using profane language or using threatening, abusive or insulting words to any person. Disrupting or preventing a public meeting from being held is also an offence.

Get organised

Protect yourself and others by organising an authorised assembly under the Peace Assembly Act 1992.

An authorised assembly requires you to give notice to the Police Commissioner and local authority if the action will be held on or passes through public space. >>>>(see next page)

> About the project

Talkin' About Law is a community legal education project aimed at the Aboriginal and Torres Strait Islander community in Queensland.

Its purpose is to provide general legal advice on criminal and civil matters affecting Indigenous Queenslanders and promote the services provided by the Aboriginal and Torres Strait Islander Legal Service throughout the state.

> Tracklist

1. Charity scams
2. Prisoner visits
3. Public demonstration
4. Remand
5. Social assessment report

>>>> (contd)

The notice for a proposed assembly should contain information about:

- Name and address of the person responsible;
- Date, place and start and end time;
- Expected number of participants;
- Purpose;
- March route, planned stops and duration; and
- Description of any sound amplification equipment to be used.

The relevant authorities may approve the assembly but only if certain conditions are met e.g. public safety, clean-up costs or the environmental or cultural sensitivities of a place.

If the proposed action isn't approved you may apply to the Magistrates Court for an order authorising the assembly.

It's not unlawful to go ahead with the assembly without approval. However participants won't have the same protection of being involved in an authorised assembly.



Rally in Brisbane over Black deaths in custody.

Given recent natural disasters here's a timely reminder to be wary of charity scams.

Charity scams happen all the time but some are created directly in response to disasters such as floods, cyclones, earthquakes and tsunamis.

These fake scams take much needed donations away from legitimate causes.

Signs of a scam:

If you're approached in person check their ID. Sometimes the ID is a forgery.

Ask for the full name of the charity, tax status, address or phone number. If they

Don't let scammers take advantage of your generosity



can't supply that information it is probably a scam.

If the person puts pressure on you or asks for a cash donation instead of a cheque be wary.

Is there a receipt and does it have the charity's information on it?

Keep you and your family informed of the latest scams by subscribing to the Scam-watch email alert service.

FOR MORE INFORMATION

scamwatch.gov.au

> DIRECTORY OF OFFICES

CHARLEVILLE (REGIONAL OFFICE)

Address: 51 Wills Street, Charleville
Telephone: (07) 4654 1721

PALM ISLAND (SATELLITE OFFICE)

Address: Cnr Main Street and Police Lane
Telephone: (07) 4770 1222

ROCKHAMPTON (REGIONAL OFFICE)

Address: 89 Bolsover Street, Rockhampton
Telephone: (07) 4927 5711

BEENLEIGH (REGIONAL OFFICE)

Address: Suite 11B, 101A Main Street, Beenleigh
Telephone: (07) 3804 5033

BRISBANE (HEAD OFFICE)

Address: 183 North Quay, Brisbane
Telephone: (07) 3025 3888

CAIRNS (REGIONAL OFFICE)

Address: 78 Spence Street, Cairns
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