



## Being found drunk in public

### Learning outcomes

At the end of the session, the group should have increased knowledge of:

- police powers to arrest a person if they are drunk in public
- consequences if a person breaks the law by being drunk in public
- how to get more information or free legal advice about police powers and their rights or what to do if they are fined or charged in court.

### Supporting materials

You will need the following materials:

- *Shamed out (being found drunk in public)* video at [www.legalaid.vic.gov.au/find-legal-answers/free-publications-and-resources/street-law-education-kit](http://www.legalaid.vic.gov.au/find-legal-answers/free-publications-and-resources/street-law-education-kit)
- 'Police procedure if you're drunk' legal information web page at [www.legalaid.vic.gov.au/find-legal-answers/police-powers-and-your-rights/being-arrested/police-procedure-if-youre-drunk](http://www.legalaid.vic.gov.au/find-legal-answers/police-powers-and-your-rights/being-arrested/police-procedure-if-youre-drunk).

### Time allocation

The session duration is approximately 40 minutes.

If the time available is less than 40 minutes you can shorten the session by only completing the discussion stage. Please note: the activity stage is designed for the group to complete after the discussion stage and it is not designed to be delivered on its own.

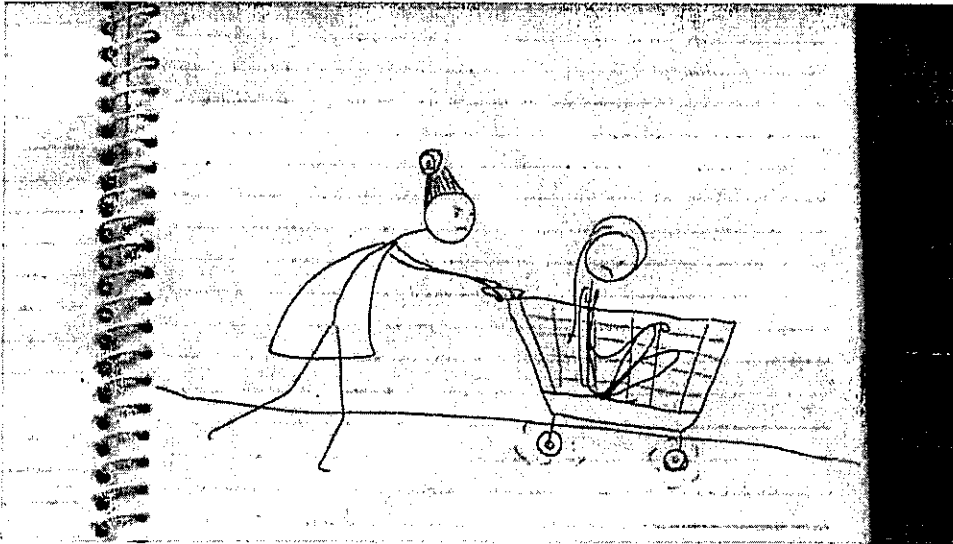
If your session is for longer than 40 minutes, you can deliver a session on another topic or just the discussion stage of a session on another topic. Session plans for each topic can be delivered in any order.

### Technology

You will need an internet connection and facilities to show the video during the session, such as a projector connected to a desktop or laptop or tablets connected to the internet for the group to use.

If you do not have internet connection during the session and you would like a DVD copy of the videos, please email [cle@vla.vic.gov.au](mailto:cle@vla.vic.gov.au) or call (03) 9269 0234 and ask for Community Legal Education (limited copies available).

## Transcript – *Shamed out*



A few weeks back I had a mass' night with my mates. We went from pub to pub and we were just smashing those drinks. We had drink, after drink, after drink.

We went to this karaoke bar, I was on a mad rage, I was singin', I was jammin'. Oh yeah, I'm cruisin'! I was lovin' life.

At the end of the night I ended up alone and had to find my own way home.

I fell asleep and I had this great dream.

I felt someone, like, tapping me on the shoulder. And I was like 'Mum, can you make me some bacon and eggs. I'm like, sooo hungover.'

But it was a cop and he was asking me if I was alright. And I was like, 'Yep!' He said I was too drunk so he took me back to the station.

Mum had to pick me up. I was so shamed out.

## Discussion – *Shamed out*

**Watch** the *Shamed out* video from start to finish.

**Direct** the group to read over the 'Police procedure if you're drunk' legal information web page or read through the page together as a group.

**Check** if there are any words people in the group do not understand and see 'What do these words mean?' on page 8 of this resource for a plain English definition of those words.

**Find** further information by clicking on hyperlinks on the 'Police procedure if you're drunk' legal information web page, such as 'Public drunkenness offences' and 'Get help dealing with police'.

**Ask** the group the following questions:

- Why did the police officer arrest the person in the video and put her in a lockup?
- Do you think it was fair she got locked up? Why or why not?
- What are the penalties or other consequences she could face for being drunk in public?
- Which services could she contact for more information about the law or free legal advice?

**Discuss** the questions as a group, or break the group into pairs or smaller groups to discuss the questions and report their answers back to the whole group.

**Refer** to the model answers for the correct answers to the questions or for further questions to prompt discussion if there is no right or wrong answer.

## Activity – Cracking down on teen drinking (debate)

**Divide** the group in half to create two teams and name one 'For', the other 'Against'.

**Ask** the group to consider the following statement:

*'Police should lock more young people up for being drunk in public.'*

**Direct** each team to work together and brainstorm arguments to support their position for or against. Ask each team to nominate one person as a scribe to make a list of the group's arguments on a piece of large paper.

**Ask** each group to research information or commentary about underage drinking and police strategies to tackle public drunkenness or youth crime, for example, by searching online. Suggest that teams collect media articles, statistics or ideas to support their position either for or against.

**Allow** each team 10–15 minutes to discuss and brainstorm their points for or against.

**Reconvene** the group and ask a volunteer from each team to outline their arguments for or against. If the teams collected any articles or statistics, ask them to report those back to the group.

**Award** the team with the strongest arguments by announcing them as winners of the debate.

## Model answers: Discussion – *Shamed out*

**Question: Why did the police officer arrest the person in the video and put her in a lockup?**

Police have the power to put someone into safe custody if they find them drunk in a public place. They can put them into custody at a sobering-up centre or in a cell at a police station or a court.

**Question: Do you think it was fair she got locked up? Why or why not?**

There are no right or wrong answers but you can prompt discussion by asking questions like:

- Do you think she needed to be locked up in a police cell for her own safety?
- Do you think police could have dealt with the situation differently?

**Question: What are the penalties or other consequences she could face for being drunk in public?**

She could have been:

- released with a caution or a fine (see 'What do these words mean?' on page 8 of this resource to check the group's understanding of the word 'caution' in this context)
- sent to a sobering up centre if there is one in her local area
- charged in court (for more information, you can follow the link on the legal information web page for 'Public drunkenness offence' to find out what kinds of offences she could be charged with, such as drunk in a public place and drunk and disorderly in a public place)
- bailed to go to court (see 'What do these words mean?' on page 8 of this resource to check the group's understanding of the word 'bail' in this context).

**Question: Which services could she contact for more information about the law or free legal advice?**

She could get more information or free legal advice from services listed on the 'Get help dealing with police' hyperlink on the 'Speaking to police' legal information web page, such as Victoria Legal Aid, a local community legal centre or the Victorian Aboriginal Legal Service if she identifies as Aboriginal or Torres Strait Islander. She could also contact Youthlaw, a free legal service for young people under 25 (see 'Where to get help' on page 37 of this resource).

## Model answers: Cracking down on teen drinking (debate)

There are no right or wrong answers but you can help each team come up with arguments for or against by asking them questions like:

- Do you think there are too many teenagers getting drunk in public?
- Do you think the risk of being locked up will stop young people from being drunk in public?
- What are the reasons for people to be drunk in public?
- Do you think it's more of a problem for people under 18 or is it a problem for adults as well?
- Are there other strategies police could use to reduce or discourage public drunkenness?
- Are there things other services or people in the community could do to reduce or discourage public drunkenness?