



FIRST CONTACTS / GOVERNMENT AND SOCIETY

Year 4 Teacher Pre-Visit Resource

Government: A group of people who have the authority to control or govern a community (local government), state (state government) or country (federal government). This group of people makes laws and oversees them.

Society: A community in which people live and have shared laws, traditions and values. Those shared laws, traditions and values often differ from one country to another and even from place to place.

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The Old Court House

When you visit the Francis Burt Law Education Programme, you will come into the Old Court House.

The Old Court House is the oldest building in the City of Perth. It was built in 1836 at a cost of £698. At the time it was built it was the largest building in the Colony and it was used for many things apart from a court house. It was like a community centre.¹ The first school in Perth was held in the Old Court House. It was also used for concerts, meetings, church services and an immigration depot.

1. If the Old Court House was built in 1836, how old is it now?

In 2020 the building is 184 years old.

It is really important to remember that the Aboriginal Peoples of Western Australia had been living in Western Australia for tens and thousands of years before the British came here in 1829. The Aboriginal Peoples of Western Australia had their own lores (laws) and legal system before 1829 and they still have their own lores and legal system today.

¹ HASS Chats, Old Court House Law Museum by Richard Offen <https://learning.heritageperth.com.au/learning/hasschats/>

Heritage Perth: Hass Chats Activity

INSTRUCTIONS

Go to the [Heritage Perth website](#) and watch the following Heritage Perth HASSCHATS and complete the tasks.

[Welcome to Country](#)

1. Who can perform a Welcome to Country ceremony?

It is performed by a custodian from that location or region or someone who has authority from that area.

2. What is the purpose of the Welcome to Country?

To ask the good spirit to watch over them while the event is taking place and when it is over to take each and everyone home safely and back to their family or country.

[Perth: The Noongar View](#)

3. What name did Perth use to be known as?

Birlu

4. Name two things that Dr Richard Walley says the people use to do in this area:

Fish, meet people, share stories or share food.

5. Why is the area important and special to the Noongar people?

Places are important because of the stories that are linked to them.

[The Old Court House](#)

	True	False
6. The Old Court House was like the community centre in the early days of the colony?	X	

7. The Old Court House was built to be a court house, however it was the only public hall in Perth at that time. What were some of the other uses of the Old Court House?

It was used as a church, a school, an immigration depot, a theatre and a concert hall.

8. Can you think of a local building in your community that is used for different purposes and is like the community centre? Yes / No

Some likely buildings are the local school, local church and/or the local hall.

9. What kinds of things is that building used for?

Possibly meetings, church services or religious gatherings, parties, local groups such as cubs, book clubs and/or special events.

Government House

10. What is the Governor's role?

The Governor is the representative of the British Monarch. The Governor is the Chair of the Executive Council and signs off on all legislation on behalf of the Queen.

11. Has the role of the Governor changed since we first had a Governor in the Colony?

No, the role has been the same for almost the last 150 years.

12. Why was the Ballroom added to Government House?

The Ballroom was added following the Gold rush to accommodate the increased number of people.

13. What is the Executive Council room used for?

It is used for meetings between the Governor and senior members of the State Government. The room is also used for official appointments of Premiers and they discuss the matters of the day that are relevant to Western Australia.

Council House

14. We have three levels of Government in Australia – Federal Government, State Government and Local Government. Which level does Council House belong to?

Local Government

15. What is significant about the Council House building?

It was built in 1963 following an architectural competition for its design. (Note: It has "T" shaped features which are sunshades but it was also thought to be because the Lord Mayor at that time's first name was "Tom")

16. The Perth City Council has a number of roles. Can you name two things that the Council are responsible for?

They look after a number of things to do with running of the city such as planning, city projects and initiatives, events, rates, waste, arts and culture, energy, economic development

Text Study for English: Alice in Wonderland

INSTRUCTIONS

- 1. Read the story of *Alice in Wonderland* by Lewis Carroll. A picture story version can be found at [Alice in Wonderland](#) .**
Teachers may choose to read the story to the students as part of their reading time instead of having to read the whole text themselves. For the FBLEP tour please focus on chapters 1, 8, 11 and 12 in preparation for the Alice in Court Mock Trial.
- 2. Describe some of Alice's actions in the story.**
For example:
 - going down the rabbit hole – discuss with students whether Alice was right or wrong in choosing to go down the rabbit hole;
 - drinking and eating someone else's food – discuss with students whether it is right or wrong for Alice to eat someone else's food;
 - drinking the liquid – discuss with the students how she is taking something that is not her own;
 - losing her temper at the croquet game; and
 - taking the pencil from the juror.
- 3. In chapters 11 and 12 of the story, there is a trial. What did Alice know about a court of justice?**
Alice knew about a judge, wigs, jury-box, jurors and the general procedure of asking the witnesses questions.
- 4. Who was the judge?**
The King. Teachers may choose to discuss with students whether it is possible for a King or a Queen to be a Judge nowadays in Australia and England.
- 5. Who were the jury?**
The 'creatures' who were taking notes. The teacher may choose to discuss who sits on real juries in Western Australia, i.e. any person who is enrolled to vote in WA.
- 6. What did the jury do?**
The jury decided whether Alice was guilty or not guilty of the charge/s.
- 7. What role did the witnesses have in the trial?**
Witnesses were called in to give their evidence and tell the King what they had seen. They were sometimes cross-examined.
- 8. The King kept asking for a verdict. Why was this rejected during the trial?**
A verdict can only be given after all the evidence has been heard/presented.

9. **Based on your own knowledge, draw a diagram of what you think a court room would look like.**

Some students may have no knowledge of what a court room looks like. Teachers may choose to give further direction here and make use of the Supreme Court website link [The People in Court](#)

Discussion: Alice in Court

1. **In the mock trial you will do as part of the Francis Burt Law Education Programme tour, Alice is charged with disturbing the peace. What do you think disturbing the peace means?**

Answers will vary and are likely to lean towards anything in which a person creates a loud noise or a disturbance such as a young child screaming and shouting in a shopping centre.

In a legal sense, disturbing the peace is behaviours that are threatening, insulting or offensive and are unacceptable in public as that behaviour causes others to feel scared, afraid or threatened.

2. **Which of the following are examples of disturbing the peace in a legal sense where the person might find themselves charged with breaking the law and have to appear in court? Give reasons for your choice.**

- a) **A three year old child is in a supermarket and is screaming and shouting loudly. His mother asks him to quieten down but instead he lashes out and kicks a display stand which causes packets of biscuits to fall over and block the aisle in the shopping centre.**

This is not the offence of disturbing the peace. This is just a young child having a tantrum and young children are still learning what is acceptable and unacceptable behaviour.

- b) **A young adult, approximately 19 years old, is seen outside a shopping centre shouting loudly at people as they pass by. He appears to be drunk and is very angry. He kicks a sign over and blocks a pathway. He is then seen going to the toilet in an alley way.**

This is the offence of disturbing the peace. This person is an adult and his behaviour is unacceptable as such behaviour is threatening and offensive and makes people feel uncomfortable.

Language Activity: Legal Words in Alice in Wonderland

Instructions:

1. Your teacher will call out 24 words.
2. Twelve of the words are legal words used in the story *Alice in Wonderland* and the other 12 words are not legal words (others).
3. Put the legal words in the 'legal words' column and the non-legal words in the 'others' column.
4. Check your list with a partner and then with the class.

LEGAL WORDS	OTHERS
Judge The Judge is in charge of the court and makes sure that it is conducted fairly for both sides. The Judge is referred to as "Your Honour". ²	Boss
Accused A person who has been charged with breaking the law.	Suspect
Juror A jury member.	Audience
Witness Any person who comes to court to answer questions about what they had seen in regards to the offence.	Dobber
Verdict The final decision (guilty or not guilty) of the jury, judge or magistrate.	Decision
Court The building where a legal case is heard before a judge, judge & jury or a magistrate.	Office
Trial A hearing in a court where all evidence is heard and a final decision is made. In higher courts a trial is conducted before a Judge and jury. In lower courts, a trial is usually called a "hearing" and is heard before a Magistrate. ³	Meeting
Evidence Information used in court to prove or disprove whether a person is guilty.	Information
Sentence The penalty given to a person found guilty of a crime.	Punishment
Your Honour The correct term used by lawyers or witnesses to address a Judge or Magistrate in a formal setting such as a courtroom.	King/Queen

² Commonwealth Director of Public Prosecutions, *Victims and Witness Glossary* <<http://www.cdpp.gov.au/Victims-and-Witnesses/Glossary.aspx>>.

³ Ibid.

Other words to be aware of prior to doing the *Alice in Court* mock trial

- Croquet: a sport that involves hitting wooden or plastic balls with a mallet through hoops embedded in a grass playing court.
- Affirmation: a promise to tell the truth in court with no reference to god
 - This is an alternate option to the oath which does reference god
- Crime: any act or behaviour that causes harm or damage in the community and is punishable by law.
- Adjourn: to bring or come to a close, e.g. *"This Court is now adjourned."*
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The Importance and the Purpose of Laws

Under the law, everyone has the same rights and responsibilities. A law says what conduct or behaviour everyone in a society must obey. Laws can only be made by parliament and the courts. The courts enforce the law and impose penalties for breaking it.

- **Same: laws are the same for everyone.**
- **Same: only parliament and the courts can make laws.**
- **Same: the penalties for breaking laws are the same for everyone.**
 - **Note:** This doesn't mean everyone gets the same penalty. For example a younger person is likely to get a lower penalty than a mature adult. Whilst everyone faces the same penalty the court must sentence appropriately and will consider the circumstances of the offence and the offender's personal circumstances.

Optional Resource: [What's the law?](#) **Note:** There are student and teacher resources for this video.

TASKS

1. What are some laws that you know? Make a list below using the following sentences:

"You can't " OR "You mustn't"

e.g. "You can't bully people on social media"

There are likely to be many varied responses to this task some of which may include:

- You can't steal;
- You can't drink and drive;
- You mustn't speed;
- You can't go through a red light;
- You can't use drugs;
- You mustn't do graffiti;
- You must have a ticket if you are on a train or a bus;
- You can't litter.

2. Why do you think we have laws?

Answers will vary from student to student but likely to include things like:

- Laws help protect ourselves and our property
- Laws mean that everyone knows what behaviour is acceptable and unacceptable
- Laws stop society from being chaotic

3. Laws help protect different things. They help protect:

- a) **People:** people need to feel safe
- b) **Property:** people need to feel that their property is safe
- c) **Public order:** public order means that there is not widespread crime in society. This is important so that people don't feel threatened or worried when out in general society.

Here is a list of a couple of different laws. Decide whether they help protect people, property or public order and write them into the table below.

- You cannot assault another person (**PEOPLE**)
- No swearing at people in public (**PUBLIC ORDER**)
- You cannot burgle somebody's house (**PROPERTY**)
- No littering (**PUBLIC ORDER**)
- You cannot cyber bully someone (**PEOPLE**)
- You cannot burn down someone's shop (this is called arson) (**PROPERTY**)
- You cannot take someone's credit card details and buy yourself clothes (**PROPERTY**)
- You cannot fight in public (**PUBLIC ORDER**)
- You cannot threaten someone (**PEOPLE**)

People	Property	Public order

4. If we didn't have laws to protect public order, people and property, what could happen in the community?

If we didn't have such laws there would be no boundaries for peoples' behaviours and actions and it is highly likely people in the community would feel a lot more threatened and unsafe.

If we didn't live in a community with other people, laws wouldn't be necessary. We would do as we please and would not have to worry about others. But in the

community where we live, with other people, laws are often the glue that keeps communities safe and protected.

For example, the law in Western Australia, and in Australia, is that we must drive our cars on the left-hand side of a two-way street. If people were allowed to choose at random which side of the street to drive on, driving would be dangerous and chaotic.

5. Can you name a law in our community that you think is a good law? Give reasons why you think it is a good law.

Answers will vary and all efforts should be encouraged. Examples could include traffic laws, stealing, bad behaviour.

6. Can you think of a new law that you would like to see introduced in our community?

Answers will vary and all efforts should be encouraged.

Optional Resources: Legal Aid WA has a number of good resources on the law for students and teachers.

This includes:

- Legal Aid WA: The Age You Can Be Charged

The Legal Aid WA *The age you can be charged* animation video on its [Video Resources](#) page is a useful resource for introducing the fact that law applies to children from the age of 10 years old.

- Bullying and the Law

The Legal Aid WA website video [Cyber bullying - Legal Stories](#) is a useful resource on a legal topic of relevance to students. There is also the Australian Government's [Bullying. No Way! website](#)

Discussion: Laws in the Community

This task is useful for connecting the law topic to real events in our community.

Find a news article online about a recent law matter of interest by searching online for one of the following:

- Teens arrested for throwing rocks at cars;
- Shoplifting news Perth;
- Bike theft news Perth;
- Restaurant runner news Perth.

Choose a suitable article and create an opportunity for the students to discuss the scenario using the following framework adjusted as appropriate for your students.

1. **What was the behaviour or action?**
2. **Was the behaviour or action acceptable or unacceptable?**
3. **Did the behaviour or action threaten public order, people and/or property?**
Yes / No
4. **If yes, which one/s**
5. **Why was the behaviour or action acceptable or unacceptable?**
6. **Do you know what the name of the law is in this situation?**
7. **Why do you think this person/these people did this?**
8. **Do you agree that this behaviour or action should be a crime? Why?**

Rules v Laws

Rule – A rule is a statement telling people what they can or cannot do. Rules can be made by anybody but usually they are made by someone in authority. The same person usually decides on the penalty. Example - school rules, rules of cricket or football, rules at home.

- Different: rules are different from place to place.
- Different: anyone can make rules.
- Different: the penalties for breaking rules are different from place to place.

Law – A law says what conduct or behaviour everyone in a society must obey. Laws can only be made by parliament and the courts. The courts enforce the law and impose penalties for breaking it.

- Same: laws are the same for everyone.
- Same: only parliament and the courts can make laws.
- Same: the penalties for breaking laws are the same for everyone.
 - ***Note: This doesn't mean everyone gets the same penalty. For example a younger person is likely to get a lower penalty than a mature adult. Whilst everyone faces the same penalty the court must sentence appropriately and will consider the circumstances of the offence and the offender's personal circumstances.***

TASK

1. What are some of the penalties that a court may give a person who is found guilty of breaking the law?

In the main, students will all identify imprisonment. It is important to note that imprisonment is the sentencing option of last resort as taking away a person's freedom, or liberty, is extremely serious. Some crimes are so serious that imprisonment is the only suitable sentencing option and the focus is on what is an appropriate term of imprisonment. For many crimes other sentencing options are possible and include a fine, community based order (community service), driver's license suspension, demerit points, conditional release order (good behaviour bond), supervision orders and conditional suspended imprisonment orders.

2. Think of one rule that you have at home. What are the consequences for breaking that rule?

Answers will vary from student to student. The important point to discuss are that 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 set 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, so they are different to laws.

Rule or Law

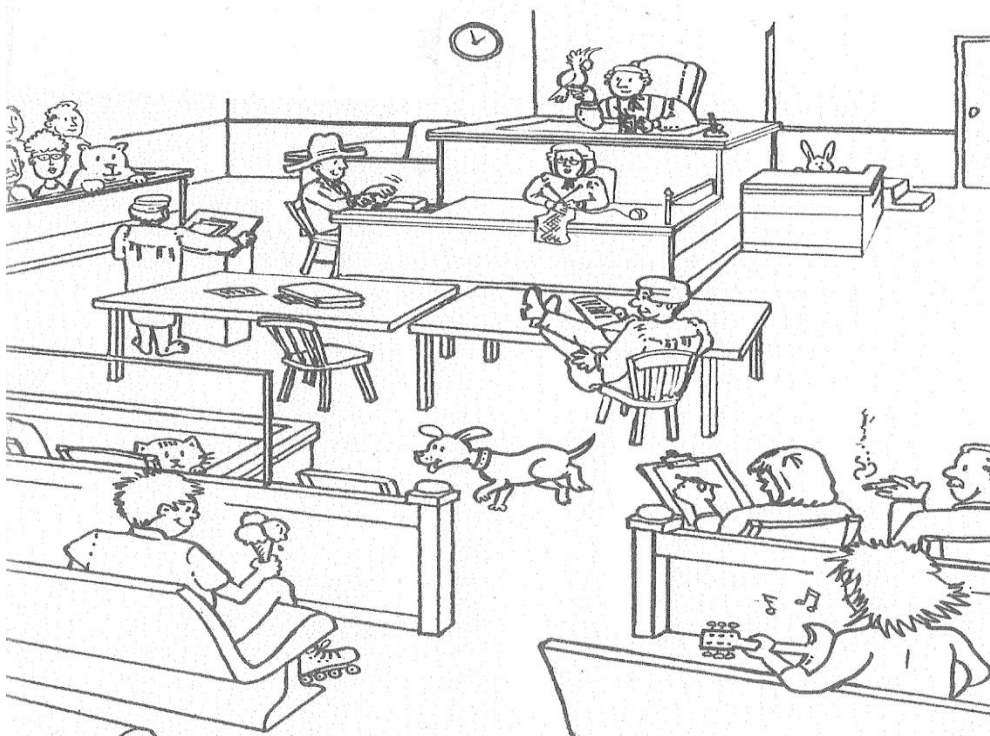
ACTIVITY

In the table below mark with an "X" whether the statement is a rule or a law.

The statement is a rule or law?	Rule	Law
A uniform is worn at school	X	
Stop at a red traffic light		X
Do not run around swimming pools	X	
You may not vote until you are 18 years old		X
You must wear a helmet when riding a bike		X
Do not call out in class	X	
Do not talk while food is in your mouth	X	
You must have a passport to travel overseas		X

Rules in a Court Room

Courts are formal places and there are many rules that must be followed inside a court room. Look at the picture of the court room below and see how many rules you think are being broken. Make a list and compare it with your classmates. (Hint: You should be able to find 12 rules that are not being followed)



Note: The court room picture reproduced with the kind permission of the Child Witness Service and the Department of Justice.

1. The judge has a cockatoo on his hand – pets are not allowed in court.
2. There is a bear in the jury – animals are not allowed in court (with a few exceptions such as a guide dog).
3. The defence counsel has bare feet - People must dress appropriately in a court room.
4. The state counsel has his feet up on the bar table – people must behave appropriately in court.
5. The reporter is wearing a silly hat – hats are not allowed to be worn in court.
6. There is a cat and dog in the court - pets are not allowed in court.
7. There is a rabbit in the witness box - pets are not allowed in court.
8. The associate is knitting – people must behave appropriate in court.
9. Someone is eating ice cream in the court room – food and drink are not allowed in the court room.
10. The same person is wearing rollerblades in the court room – people must dress appropriately in a court room.
11. Someone is smoking in the court room – smoking is not allowed in the court room.
12. Someone is playing guitar – you are not allowed to play or listen to music in the court room.

First Contacts

Instructions

Go to the [Kaartdijin Noongar – Sharing Noongar website](http://www.noongarculture.org.au/) and complete the following activities.

1. **Where do the Noongar people come from and how long have they been there?**
“Noongar people have resided in the south-west of Western Australia for more than 45,000 years.”⁴
2. **Click on the links below and describe the culture of the Noongar people addressing each question.**
 - (a) [Connection to Country](#),
How is the Noongar connection to country passed on? Our connection to country is passed on through our stories, art, song and dance.⁵
 - (b) [Food](#)
How do the Noongar People know when to gather or hunt certain foods?
Traditionally, they gather and hunt their foods according to the seasons. The natural environment provides them with signs as to when some food sources are in plentiful supply.
 - (c) [Home](#)
What is the definition for home for the Noongar People?
Home is where the family heart is.
 - (d) [Identity](#)
What does it mean to be Noongar?
To belong and have a connection to country⁶ This is passed down the generations through their stories.
 - (e) [Language](#)
How important is language to the Noongar People?
It is central to who they are. There are special words that are used in ceremonies that have particular meaning. There are 14 dialects in Noongar language.
 - (f) [Noongar Lore](#)
What is the difference between the meaning of ‘law’ and ‘lore’? Can you identify which one can change from year to year and which one remains continuous throughout the generations?
The terms lore and law are sometimes used interchangeably, but 'law' refers to written European law, whereas 'lore' for Noongars is unwritten and refers to *kaartdijin* (knowledge), beliefs, rules or customs.⁷ Laws are made by parliament and can change. Lores are continuous and are passed on from generation to generation by the Elders.

⁴ Kaartdijin Noongar – Noongar Knowledge, Sharing Noongar Culture, South West Aboriginal Land and Sea Council <<http://www.noongarculture.org.au/>>.

⁵ Kaartdijin Noongar – Noongar Knowledge, Sharing Noongar Culture, South West Aboriginal Land and Sea Council, *Connection to Country* <<http://www.noongarculture.org.au/connection-to-country/>>.

⁶ Kaartdijin Noongar – Noongar Knowledge, Sharing Noongar Culture, South West Aboriginal Land and Sea Council, *Identity* <<http://www.noongarculture.org.au/identity/>>.

⁷ Kaartdijin Noongar – Noongar Knowledge, Sharing Noongar Culture, South West Aboriginal Land and Sea Council, *Lore* <<http://www.noongarculture.org.au/noongar-lore/>>.

(g) [Spirituality](#)

How would you describe Noongar Spirituality?

Noongar spirituality is the connection to nature and country. It lies in the belief of a cultural landscape and the connection between the human and spiritual realms.⁸

The knowledge and continuity of the Noongar beliefs is passed down the generations by the Elders.

(h) [Noongar Country](#)

Under the heading *Country*, name the six main regions of Noongar Country.

Ballardong - Northam, Gnaala Karla Booja - Narrogin, South West Boojarah - Margaret River, Wagyl Kaip, Whadjuk - Guildford, Yued – Moora.

3. In small groups use the People link - [Individuals](#) on the Kaartdijin Noongar – Sharing Noongar Culture website or the [Fanny Balbuk](#) link. Your group is to choose one of the people from these links and complete a character study by describing who that person is, their background and what happened to them.

Your group is to then present that person to the class.

Teachers may choose to assign a particular character to a group to ensure a variety of characters are presented to the class. The people listed in the links are Cecil Fitzgerald, Ned Mippy, Bessy Flower, Doolann Leisha Eatts, Gus Ryder, Kayang (Hazel) Brown, Joe Northover, Martha Borinelli (nee Taylor), Yagan and Fanny Balbuk. Some of these links have additional links at the bottom of the descriptions of the character and their families. The additional links have audio capacity to enable students to listen to the stories rather than read them.

4. Prepare a report that describes in detail the Noongar Culture. Your teacher will give you instructions on how the report is to be presented.

Teachers will need to give students directions in how this report is to be presented.

It could be a single page report that describes the Noongar Culture in general with maps and pictures or it could be more detailed using the headings provided and referenced appropriately.

The report could be from the perspective of an Indigenous person or a non-Indigenous person (For example, an Indigenous child in the class could describe their family life or general information about their culture). Teachers may choose to give the students more direction in narrowing their research to a particular area. For example, Narrogin, Northam or Guildford.

Optional Activities

Further Research

If you would like to learn more about some of the points referred to above regarding culture of the Noongar people such as (a) Connection to Country, (b) Food, (c) Home, (d) Identity, (e) Language, (f) Noongar Lore, (g) Spirituality or (h) Noongar Country then you can explore these in more detail from the information on the [website](#). This will help you understand more about the cultural background of the Noongar People. The links under the *People* heading will introduce you to some of the first contacts Aboriginal People had with the British settlers.

Teachers may wish to encourage the students to think about how some of the bans and laws introduced by the British settlers might have affected the Noongar people,

⁸Kaartdijin Noongar – Noongar Knowledge, Sharing Noongar Culture, South West Aboriginal Land and Sea Council, *Spirituality* <<http://www.noongarculture.org.au/spirituality/>>.

their families and the environment: For example, the ban on possum trapping and hunting and its effect on food.

Another informative resource is [An Introduction to Noongar History and Culture](#)

Reflection

You have now been introduced to some of the first contacts specific Noongar people had with the British and the effects of these interactions on their families. You have done research on Noongar history and culture. Write a reflection on what you think happened in the first contacts between Noongar People and British settlement.

If you would like further information the following link has further information to help you with your reflection: [The Impacts of laws on Noongar people before 1905](#) from the Kaartdijin Noongar – Sharing Noongar Culture website which includes a timeline.

Answers will vary. Some students may view the colonisation as unfair and unjust in Western Australia's history because the Aboriginal People were here thousands of years before the British settlers arrived; the Aboriginal People were treated like flora and not seen as human. Some students may see the colonists trying to stop the Aboriginal People hunting for food as unreasonable. Some students may express surprise at the apparent lack of resistance from the Aboriginal People: compare the use of spears against artillery. Some students may even explore the possibility of Treaties being formed. In recognising the total differences between the two laws, some students may reflect on the imposed authority of British Law over the Aboriginal Lore.

Weewar Video

In 1842 the Crown prosecuted Weewar, a Binjareb Nyungar warrior, for carrying out tribal payback by spearing Dyung of the Mooro Group. When Weewar heard that Dyung, a member of the tribe responsible for the death of his son, was moving through Binjareb Territory he was governed by one law - Traditional Aboriginal Law. Weewar's trial became the test case in Western Australia which determined that British Law took precedence over traditional law.⁹

Discuss with your teacher the nature of the conflict and how the two laws clashed.

The trial of Weewar was held in the Old Court House and shows the significant conflicts between Aboriginal Lore and British Law. A short 8 minute video that describes this trial can be found on the Kaartdijin Noongar – Sharing Noongar Culture website at [Weewar video](#).

After showing the video, discuss with the students the nature of the conflict and how the two laws clashed: For example, Weewar was condemned by British Law because of obeying his cultural Lore.

⁹ Kaartdijin Noongar – Noongar Knowledge, Sharing Noongar Culture, South West Aboriginal Land and Sea Council, *In 1842 Weewar, a Noongar, was convicted under British Law for carrying out payback*. < <http://www.noongarculture.org.au/in-1842-weewar-a-noongar-was-convicted-under-british-law-for-carrying-out-payback/>>.

Points to Think About Before Your Visit to the FBLEP

Think about the correct answers to the points below before you visit the FBLEP. You will review your answers after your visit.

Note: We have developed a Kahoot! Quiz based on the following activity which can be found at the following link: <https://create.kahoot.it/share/fblep-year-3-quiz/8e182b12-e56b-4e45-87f8-72e28901197c>

INSTRUCTIONS

Read the sentences below and mark them either True or False.

	True	False
1. Laws are the same in all communities and laws never change? Laws are not always the same and they evolve over time to meet community expectations.		X
2. There is no difference between rules and laws. The difference between rules and laws can be seen in the way that laws are made. There are only two ways that laws can be made: 1. By parliament introducing and passing new legislation; and 2. By the courts establishing common law precedents. Another important feature is that laws can only be enforced by the courts.		X
3. Captain James Hook proclaimed the Swan River Colony (now known as Western Australia) as part of the British Colony in 1829. It was Captain James Stirling who proclaimed the Swan River Colony as part of the British Colony.		X
4. Aboriginal Peoples lived in Western Australia and had their own lore (law) before the arrival of British people. It is important to acknowledge that Aboriginal Peoples had lived in WA for tens and thousands of years prior to colonisation and Aboriginal Peoples had established lores (laws) and legal processes.	X	
5. Noongar spirituality has a strong link to nature and country. Noongar spirituality is the connection to nature and country. It lies in the belief of a cultural landscape and the connection between the human and spiritual realms. ¹⁰ The knowledge and continuity of the Noongar beliefs is passed down the generations by the Elders.	X	

¹⁰ Kaartdijin Noongar – Noongar Knowledge, Sharing Noongar Culture, above n 8.

6.	From 1829 Aboriginal People understood British Law and agreed to follow it. The British legal system was brought to WA in 1829. British law from that point on applied to everyone in WA and traditional Aboriginal lore (law) was not recognised by the British colonists. This resulted in a clash of laws and caused significant problems and injustices for Aboriginal Peoples. Traditional Aboriginal lore still exists today and the clash of legal systems is an on-going issue.		X
7.	Noongar people spoke English when the British people arrived in 1829. The Noongar language consists of 14 different dialects. It is an oral language which also includes non-verbal communication like the avoidance of eye contact and hand gestures, especially when it may not be possible to use the spoken word. Noongar is the official language of the Aboriginal people of the south-west of Western Australia. The word Noongar means 'person of the south-west'. ¹¹		X
8.	Under the law everyone has the same rights and responsibilities. This is the essential element of the rule of law.	X	



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¹¹ Kaartdijin Noongar – Noongar Knowledge, Sharing Noongar Culture, South West Aboriginal Land and Sea Council, *Language* <<http://www.noongarculture.org.au/language/>>.