

# THE IMPACT PROJECT

Film Companion Guide



## NOTES TO THE FACILITATOR

This booklet accompanies the IMPACT Project film resource.

It should be used as a guide for young Victorians aged 12 to 16 about the impact of motor vehicle crime on young people and their communities.

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## AIM OF THIS PRESENTATION

The aim of this presentation is for young people in Victoria to identify the significant impact of decisions in relation to motor vehicle crimes, as well as explaining the concept of co-offending.

By the end of the presentation, students should be familiar with:

- The various motor vehicle crimes in Victoria, including theft of motor vehicles and related crimes such as theft, aggravated burglary and traffic offences.
- The concept of co-offending (or complicity in a crime).
- The actual, practical, emotional impact of motor vehicle crimes on the lives of the people who have committed them, as well as the lives of their friends, family members, and the broader community.
- An understanding of the underlying social/emotional issues that can underscore poor decision-making, including negative peer associations and substance abuse factors that can have an impact on the decision-making process in the moment.

The discussion and reflection points at the conclusion of the presentation encourage students to make responsible decisions.

Students should be able to identify, before it happens, the crucial moment when, in a peer environment, they make a choice to save their family and friends from the impact of a bad decision.



## FACILITATOR/TEACHER NOTES

These notes are to be used as a general guide for the IMPACT Project film resource. The resource includes five short films and may be viewed in its entirety or each film may be viewed separately.

### BEFORE THE FILMS

Introduce the session by outlining and personalising the research in this area. The research indicates that there are around 1,000 young people held in juvenile detention across Australia. A significant proportion of them committed motor vehicle offences.

Young people who commit this kind of crime are often surprised at how much trouble they find themselves in. Often, they thought they were just “tagging along”.

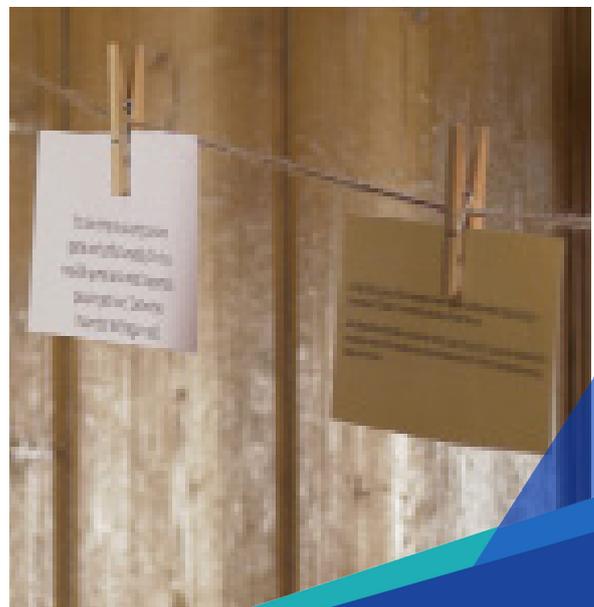
To the courts, it doesn't matter if you were tagging along. It doesn't matter if you told your mate it was a stupid idea and your mate did it anyway. If you were in a group that was involved in theft of or theft from a motor vehicle, or any related offences, you can be charged with the offence as if you committed it yourself. Being charged with this kind of offence will have an impact not just on the rest of your life, but on the people you love.

The idea of today's session is to outline for you what we know about young people committing this kind of crime. The reality is, these things often happen in groups, and usually “on the run” when a lot of other things are going on. There is, though, always a moment when a choice is made.

The wrong choice can follow you for the rest of your life.

Today we're going to watch a few short videos to help demonstrate the impact of that moment. The moment when the wrong choice was made.

These videos include stories told by real people who live in Victoria, and whose lives will forever be affected by the moment that one person made a wrong decision.



## THE FILMS

There are 5 short videos. They are:

Impact | Choices | Co-offending | Headlines | Legacy

## AFTER THE FILMS

### Impact

Why might someone make a bad decision that leads to a motor vehicle crime being committed?

Who are the people in your life whose lives would be changed if you were charged with a motor vehicle offence?

Who are the people in the broader community who are affected when this kind of crime happens?

What are some of the crimes that are mentioned in this video?

Why is stealing a car, or stealing from a car, a crime?

### Choices

Are people who make wrong choices bad people?

What are some ways to tell a friend you don't want to do something?

What are some things that make it easier for people to take risks?

What is a spur-of-the moment choice? How do the experts in this video describe the changing feelings of a young person who commits a motor vehicle crime that ends in an arrest?

What are some things you can do if you feel pressured into making a choice you know deep down isn't the right one?



## Co-offending

What is co-offending?

Why do young people tend to be caught up in co-offending?

Is a person guilty of an offence if they:

- Break a window and steal something from a car?
- Get into a stolen car and don't even have the keys in the ignition?
- "Borrow" a car without telling the owner, fully intending to take it back?
- Hold or look after something someone else stole from a car?
- Drive a stolen car?
- Keep a look-out?
- Ride in a stolen car?

The answer to all of these is yes. See legal section below.

What is a principal offender?

Why do you think it feels easier to do the wrong thing when your mates are there?

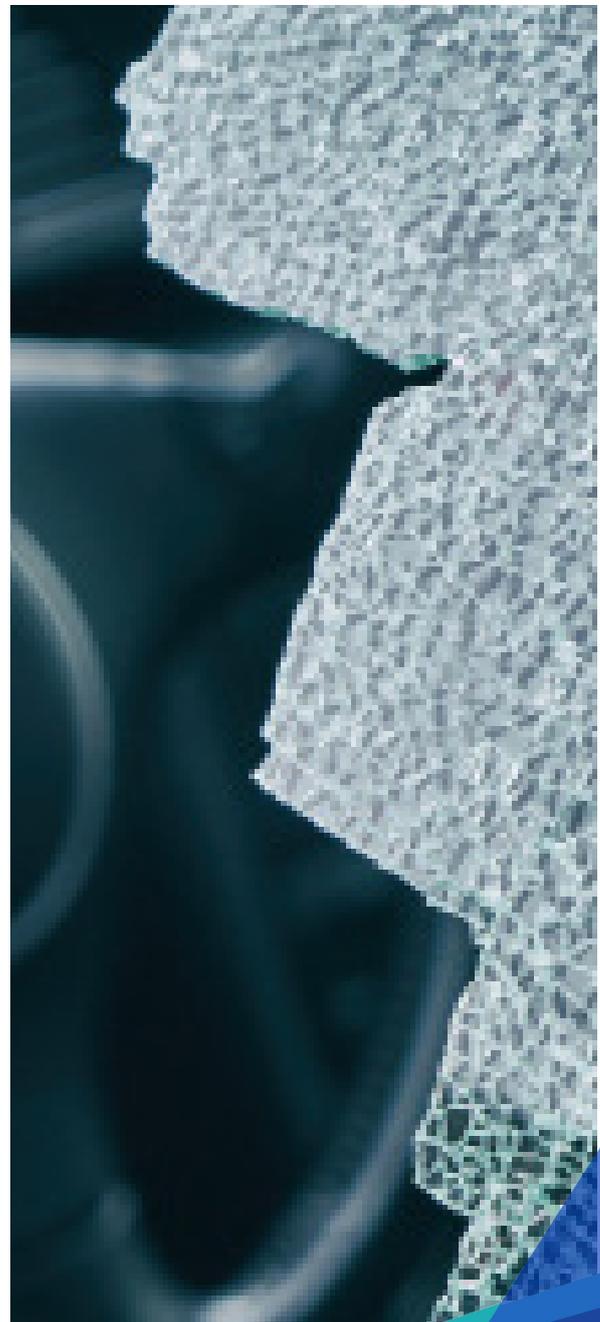
When you're having fun with friends but you start to realise someone might be about to commit a crime, what's the smart thing to do?

When a person commits a crime with another person, do they go through the justice system as a "team"?

Can two friends be on opposite sides in the court room?

What is a witness? Could a friend be a witness?

If you commit a motor vehicle crime with a mate, what are some of the negative ways that could have an impact on your mate's life?



## Headlines

How did the news stories at the start of this video make you feel?

The people in this video say that this keeps happening. Why does it keep happening and how do we stop it?

How can we remember the impact of this kind of trauma when we're in the moment of making a decision?

These experts say all this trauma is avoidable and causes a lot of hurt. How could the community better support people who are at risk of committing this kind of crime?

## Legacy

What impact did Amber's death have on the people she loved?

What factors do you think influenced Amber's decision to get in the car?

How do you think the other people involved in this incident feel now?

Can a victim also be a perpetrator?

Can you identify a moment when a wrong choice was made?

How does it feel for Amber's friends that a person involved in that incident feels sorry?

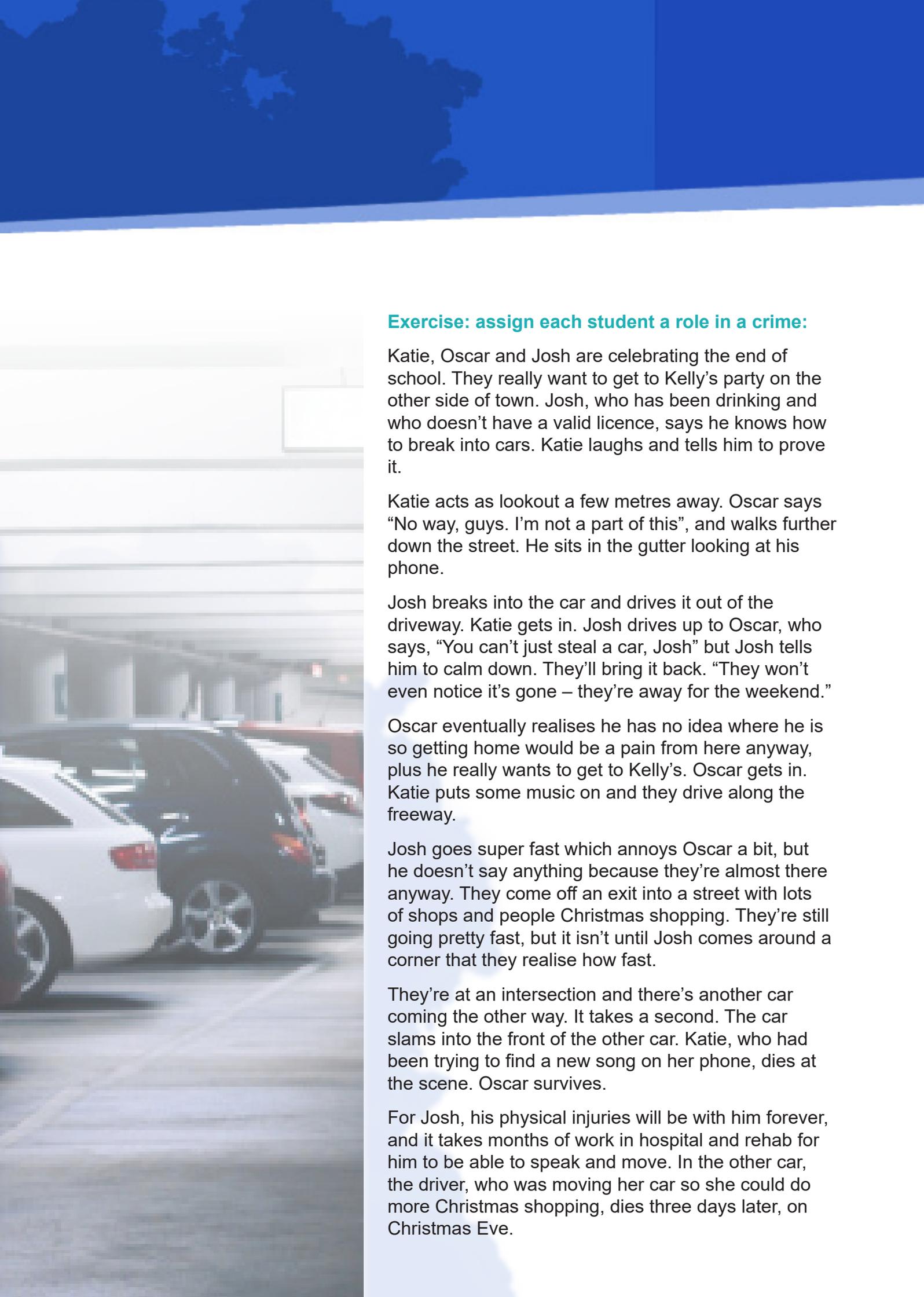
When people behave recklessly, what other feelings might they be having?

Is there help available for people who are struggling with issues that make them feel like none of this matters?





"A choice takes a second, so you really have to make that second count".



### Exercise: assign each student a role in a crime:

Katie, Oscar and Josh are celebrating the end of school. They really want to get to Kelly's party on the other side of town. Josh, who has been drinking and who doesn't have a valid licence, says he knows how to break into cars. Katie laughs and tells him to prove it.

Katie acts as lookout a few metres away. Oscar says "No way, guys. I'm not a part of this", and walks further down the street. He sits in the gutter looking at his phone.

Josh breaks into the car and drives it out of the driveway. Katie gets in. Josh drives up to Oscar, who says, "You can't just steal a car, Josh" but Josh tells him to calm down. They'll bring it back. "They won't even notice it's gone – they're away for the weekend."

Oscar eventually realises he has no idea where he is so getting home would be a pain from here anyway, plus he really wants to get to Kelly's. Oscar gets in. Katie puts some music on and they drive along the freeway.

Josh goes super fast which annoys Oscar a bit, but he doesn't say anything because they're almost there anyway. They come off an exit into a street with lots of shops and people Christmas shopping. They're still going pretty fast, but it isn't until Josh comes around a corner that they realise how fast.

They're at an intersection and there's another car coming the other way. It takes a second. The car slams into the front of the other car. Katie, who had been trying to find a new song on her phone, dies at the scene. Oscar survives.

For Josh, his physical injuries will be with him forever, and it takes months of work in hospital and rehab for him to be able to speak and move. In the other car, the driver, who was moving her car so she could do more Christmas shopping, dies three days later, on Christmas Eve.

Give each person a role before you tell the story of what happens. Ask people to stand up at the point in the story where their character has been affected by the commission of the crime.

- 1 principle offender (Josh)
  - 1 lookout (Katie)
  - 1 friend (Oscar)
  - 4 family members for each of the above
  - 1 driver of the other car
  - 2 first responders
  - 1 police officer who takes on the case
  - 1 doctor in emergency
  - 4 family members of the other driver
  - The owners of the car
  - Kelly, whose party they were going to
  - The rest: members of the community in the area.
- (Alter numbers according to group size).

Questions: describe the impact of this crime on the person you were assigned. Do you think Oscar and Josh will remain friends? What do you think they'll regret, if anything? What could Oscar have done differently? What could Josh have done differently? Would it make the family of the other driver feel better or worse to know that Josh had doubts he didn't act on? Is Katie an innocent victim of Josh's stupidity? If Katie had lived, would she have been charged with a crime? Would Oscar be charged with anything? There are several crimes committed in this scenario – can you name some of them?

## FOLLOW-UP

### Possible Discussion Questions:

What did you find surprising that you saw in today's videos?

Who did you feel sorry for?

What does "a choice takes a second. Make your second count" mean?

What do the people in this video want you to know?

Was there a "bad guy"? Was there a "good guy"?

What choices were made that you think could have been made differently?

Were the choices always clear to the people who made them?

What made the choices less clear?

Do you feel confident that you can make your choice the right choice? If not, what is it that makes you feel like you might risk making a bad decision?

Several of the people we spoke to for this video said that young people start out wanting to do the right thing by their friends and end up with life-long regrets. What are some strategies you personally could use if you find yourself in a risk-taking situation?

Can you always tell when you're about to make a wrong choice?

How does it feel?

How can we stop and check in with ourselves to make sure we do the right things when things are moving fast?

What makes a choice good?

Who are some people in your life whose ability to make good decisions you admire?

Write down one thing that is private and just for you which can remind you, when you might forget it, to make the right choice.



## BACKGROUND: MOTOR VEHICLE CRIMES IN VICTORIA

There are a range of offences related to motor vehicles in Victoria and young people can be charged with all of them.

This worksheet sets out a plain language understanding of the impact of the law. It should not be considered legal advice. If you have a legal problem, or want to ask a question about a specific situation, see the legal contacts provided.

### Theft of a Motor Vehicle

#### The crime

Theft of a motor vehicle is when a person dishonestly (without consent or permission) takes, or in any manner uses, a motor vehicle that belongs to someone else. This includes any vessel, whether or not powered by a motor, and applies even if the keys were in the ignition. If a person intended to return the car afterwards, and regardless of what the car was “used for”, that person is still guilty of the offence.

In non-vehicle related theft, theft is defined as a person dishonestly appropriating (taking) property belonging to another with the intention of permanently depriving the owner of it. You can be charged with theft in relation to wallets/belongings/other items.

In the case of motor vehicle offences, the court doesn't have to prove that you had the intention to permanently deprive

the victim of it. If you take, or attempt to take, or in any manner use a car without consent, you are guilty of the offence.

#### What happens if you're charged?

If you're charged with this offence, you must go to court. If you're found guilty, you can face up to 10 years in prison.



## Carjacking

### The offence

If you steal a car and, in the course of doing so (or in the lead-up to doing so) you use force against the victim or put the victim in fear that they (or anyone else) will be subjected to force, you commit the offence of carjacking.

#### What happens if you're charged

If you're charged with this offence, you must go to court. If you're found guilty, you can face up to 15 years in prison.

## Aggravated carjacking

### The offence

If, when you commit a carjacking, you have a firearm, an imitation firearm, an offensive weapon, an explosive or an imitation explosive, OR in the course of the carjacking you cause injury to someone, you commit the offence of aggravated carjacking.

#### What happens if you're charged

If you're charged with this offence, you must go to court. If you're found guilty, you can face up to 25 years in prison.

## Group offending

There are many offences – from assault to property offences – that the law considers worse when there is a group involved in committing the offence. Often, you do not need to be the main offender – you can just be “keeping watch” – and you may still be held responsible as though you committed that act yourself.

If you are part of a group and members of that group commit a crime, you can be charged with that crime under the provisions of complicity (Crimes Act 1958).

This doesn't mean someone needs to openly declare, “I am about to commit a crime”. It can be the mere exchange of a look, or one main person making a decision and others “tagging along” that constitutes complicity by those that tag along.

If you assist someone before or after they commit a crime, you are an accessory before the fact or an accessory after the fact. This could make you liable for the same punishment as the main offenders.

### Serious offences

According to the law of complicity, if you are part of a group that agrees to commit an offence and then something happens that escalates that offence, it doesn't matter if it was a mistake or if it was only one person taking things too far, all of those involved could be charged as principal offenders.

That means that if you and your mates decided to steal something, and things got out of hand and one person in the group assaulted or murdered someone, you might be charged with assault and murder as if you had done it yourself.

### **How to avoid group offending**

The key thing to remember about group offending is that there really is no better option than walking away when you feel like your friends might be behaving in a way that could lead to criminal behaviour. It rarely matters what you intend, what you were thinking, or how you said you weren't cool with it. If you're there and something bad happens, you are more likely than not to be in serious trouble.

### **What happens if you get a criminal record?**

The court and the police can see your criminal record. Sometimes they can let other people know what is in your criminal record. For example, a criminal record, especially with convictions, may make it harder for you to get some jobs, further education or visa approval to some countries. You may also get a criminal driving record from VicRoads for traffic offences.





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