

You have the right to know...

- ☞ why the gunjies are giving you a direction or making a request
- ☞ what the direction or request means you have to do, or not do.

If the gunjies make a direction or request, it's easier to agree to it and avoid more hassles.

Remember...

It's an offence NOT to obey a lawful direction made by the gunjies.

If you think you have been treated unfairly by the gunjies or a security guard, get advice about making a complaint.

If you've been treated unfairly in a public place you should speak to a lawyer at:

**Aboriginal Legal Service
(02) 9318 2122**

**Wirringa Baiya Aboriginal Women's
Legal Centre
1800 686 587**

**Legal Aid Hotline for under 18s
1800 101 810**

ME AND
SECURITY
GUARDS



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ME AND SECURITY GUARDS

What can security guards do?

If they have proof that you did a crime, they **CAN**:

- 🚫 arrest you (make a citizen's arrest)
- 🚫 hold you until the gunjies turn up
- 🚫 use reasonable force to arrest and hold you.

Security guards on **private property** can tell you to leave for any reason at all. They can ban you for as long as they like. (Most shops, shopping malls, fast food places and cinemas are private property.)

If you don't leave, or if you go back onto the private property, they **CAN**:

- 🚫 use reasonable force to remove you
- 🚫 make a citizen's arrest and hold you until the gunjies turn up
- 🚫 ask the gunjies to charge you with trespass.

Security guards **CANNOT**:

- 🚫 search you or your things without your permission, even if it's a 'condition of entry'
- 🚫 use more force than necessary to remove you, arrest you or hold you
- 🚫 arrest you on suspicion alone (only the gunjies can arrest you on suspicion)
- 🚫 hold you if they don't arrest you
- 🚫 ban you or ask you to leave spaces they don't control, e.g. streets and footpaths
- 🚫 force you to sign anything
- 🚫 force you to be photographed
- 🚫 tell you to leave or treat you worse than other people just because you're young or because you're Aboriginal.

In a **public place** a security guard has no more power than anyone else. However, some City Rail staff (like transit officers) and local council rangers have extra powers. They are called law enforcement officers.

Your rights in public places

Generally speaking, young people can relax with their friends and enjoy themselves in public areas, so long as they don't harm other people.

There are some exceptions to this general rule – the gunjies often ask young people to 'move on', and may threaten you with arrest for trespass (if on private property), obstruction (of a footpath or roadway), or offensive language.

Don't swear at the gunjies. They may arrest you for offensive language.

The gunjies can take steps to prevent obstruction of public spaces or to protect the public from feeling threatened. So if you're blocking a footpath or scaring a person, police may ask you to move on.

Turn over...