



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

EDUCATION AND ENGAGEMENT PROGRAM



YEAR 6 INQUIRY RESOURCES

**AUSTRALIAN CURRICULUM—HUMANITIES AND SOCIAL SCIENCES—CIVICS AND
CITIZENSHIP STRAND**

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YEAR 6 INQUIRY QUESTION—HOW ARE LAWS DEVELOPED IN AUSTRALIA?

The following set of civics and citizenship lesson plans have been designed around the David Walliams novel *Mr Stink*. The Mr Stink story presents an opportunity to acquaint students from upper primary school with a number of key democratic concepts, including the importance of elections and the role of elected representatives in a parliamentary system.

The lesson plans are designed to be completed after students have read the story (or viewed the film/play) as they will need to be familiar with the characters and plot to understand and complete the activities.

Schools groups are welcome to visit the Legislative Assembly to participate in role play activities where students take on roles as the Speaker, Clerk, government members, opposition members and more.

The Assembly's education and engagement program offers a wide range of different programs for primary and high school students that can be tailored to meet the needs of teachers and students. For more information, contact:

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DEVELOPMENT OF LAWS — CIVICS AND CITIZENSHIP STRAND (YEAR 6)

Inquiry question: How are laws developed in Australia?

Learning objectives: By the end of the lesson the students will be able to outline why we have laws and where the ideas come from.

Resources: David Walliams novel *Mr Stink* and worksheet 1.

AUSTRALIAN CURRICULUM

- Where ideas for new laws can come from and how they become law (ACHASSK146)
- Work in groups to generate responses to issues and challenges (ACHASSI130)
- Use criteria to make decisions and judgements and consider advantages and disadvantages of preferring one decision over others (ACHASSI131)

LESSON ORIENTATION

Class discussion on laws to establish prior learning—suggested prompt questions:

- What is a law? Can students provide examples of laws that affect them? (Possible examples include: 40km/hr school speed zones; compulsory wearing of bicycle helmets; wearing a seat belt in cars; and movie/TV classifications indicating suitable shows they can watch).
- Why do we have laws? (Keep order in society) What would happen if we didn't have laws? (Chaos—for example, imagine there were no road rules, no speed limit, no stop or give way signs, and you could drive on any side of the road!).

LESSON BODY

Students to individually identify one thing that they would like to do to improve the society they live in and write it down. Students should list two reasons why they think it is important to create a new law for this idea. Teacher could model an example by listing an idea that they would like to become law, alternatively use example provided for Mrs Crumb based on her policies in *Mr Stink* ([worksheet 1](#)).

Worksheet 1: My idea for a law

Form different sized groups of students (each group represents a political party). Groups look at the individual students' suggested laws to:

- identify any that are similar (could these ideas be combined to make one new law?);
- discuss the advantages and disadvantages of each suggested law; and
- decide which two ideas the group thinks are most important, and why they would like them to become new laws.

Each group to report back to the class on the ideas they would like to become a new law and why.

LESSON REFLECTION

New laws start as an idea. Ideas can be developed by individuals (correlates to the individual student exercise) and/or by a party who decide together what ideas might become new laws (correlates to the group exercise).

PASSING A NEW LAW—CIVICS AND CITIZENSHIP STRAND (YEAR 6)

Inquiry question: How are laws developed in Australia?

Learning Objectives: By the end of the lesson the students will be able to outline how new laws are passed in the Assembly.

Resources: David Walliams novel *Mr Stink*, resource 1 and resource 2.

AUSTRALIAN CURRICULUM

- Where ideas for new laws can come from and how they become law (ACHASSK146)
- Work in groups to generate responses to issues and challenges (ACHASSI130)
- Use criteria to make decisions and judgements and consider advantages and disadvantages of preferring one decision over others (ACHASSI131)

LESSON ORIENTATION

Revisit previous lesson where ideas for proposed for new laws were discussed.

These ideas are known as a policy. In David Walliams' novel *Mr Stink*, Mrs Crumb is standing for election to be a member of parliament. Her 20 policies (ideas for laws) are outlined on pg 84-87 (teacher could read a selection of these to the students).

Class discussion based around what a policy is (a plan of action adopted by an individual or group), where do these ideas come from (Mrs Crumb's life experiences) and why does Mrs Crumb have these as her policies (her ideas for how to improve society)? This is the first part of the legislative process—where an idea (policy) becomes the basis for the development of a Bill that can be introduced into a parliament to become an Act.

LESSON BODY

Imagine Mrs Crumb has been elected and now wants her policies to become new laws. There are a number of steps she must take for this to happen.

Provide students with background to the Bill—the particular example for this lesson will be Mrs Crumb's policy no. 1—'A curfew to be introduced to ensure all children under 30 are not allowed out after 8pm and are preferably in bed with lights out by 9pm.' (pg 82, teacher can select a different policy or use a student policy developed from the previous lesson to discuss, depending on the required focus).

Background to the Bill and role play (resource 1—teacher notes):

- Assume that Mrs Crumb is part of the Government. She has taken her policy to her party which has decided to introduce a new Bill. The party has made a change to the Bill as members felt that people who were 30 years old were no longer children (reflects how changes are made after consultation with party members as demonstrated in previous lesson). The new Bill will aim to introduce the curfew for children who are under 14 years.

- The proposed Bill now is that 'a curfew to be introduced to ensure all children under 14 years are not allowed outside after 8pm and are in bed with lights out by 9pm'.
- Allocate roles to reflect the minority government of the Legislative Assembly (see resource 1 with teacher notes).
- The role play commences at the 'Agreement in Principle' stage, the Government has already presented the Bill on a previous occasion.
- The Government supports the Bill. The Opposition will not be supporting the Bill and crossbench members can decide their own position as they hold the balance of power.
- Organise classroom to look like the chamber before commencing role play, students move to their positions except for Speaker and Sergeant-At-Arms (refer to role play).
- Give all students five minutes so they can write a sentence or two on why they either support the Bill (Government) or oppose it (Opposition). Crossbench members will need to decide their position before writing their sentences (supporting or opposing). These become the speeches as part of the role play.
- Members may only speak once during the debate. Time limits can be imposed if required.
- Members who are speaking (except for the Speaker) must stand up. They must say thank you Mr or Madam Speaker (depending if the Speaker is a male or female student).

Conduct the role play ([resource 2](#))

LESSON REFLECTION

Government, through its ministers, proposes most of the new Bills that are debated in the Assembly. Members of the Assembly that are not ministers can also propose Bills, these are known as Private Members Bills. All Bills are debated in the Assembly chamber and must be passed by a majority of members to become an Act (a law) of the ACT.

WORKSHEET 1—MY IDEA FOR A NEW LAW

My idea for a new law

Two reasons why my new law would be good

WORKSHEET 1—EXAMPLE FOR TEACHER TO MODEL

Mrs Crumb's idea for a new law (Policy 6 *Mr Stink* pg 85)

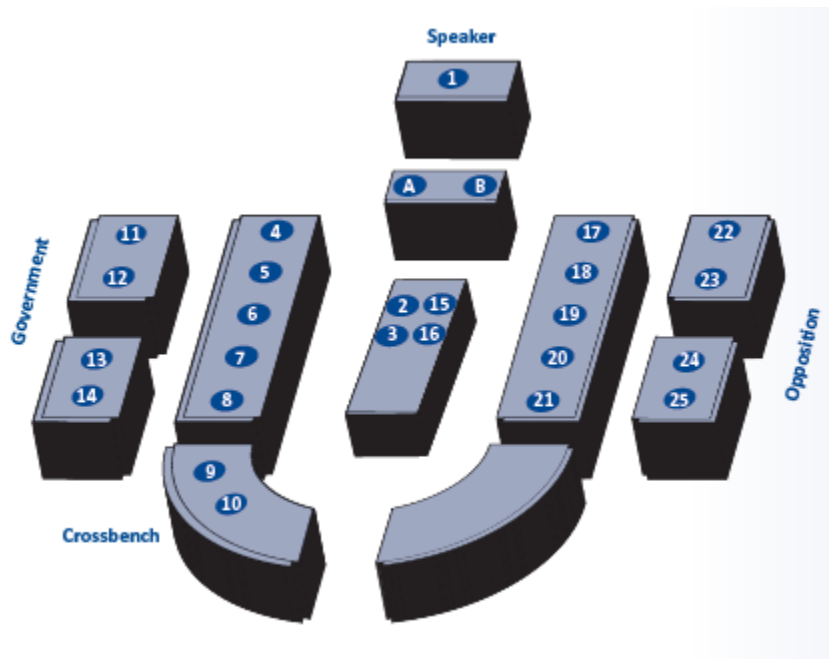
All dogs should be kept on leads at all times, even indoors

Two reasons why the new law would be good

1. Dogs can be dangerous and bite people, having them on a lead would help stop this.
 2. You would not lose your dog as dogs on leads cannot run away.
-

RESOURCE 1—LEGISLATIVE ASSEMBLY FOR THE ACT—TEACHER NOTES

CHAMBER SETUP



KEY

1. Speaker

A-B. Clerk, Deputy Clerk/Serjeant-at-Arms

2-3. Chief Minister, Deputy Chief Minister

4-8. Ministers

9-10. Crossbench

11-14. Government backbenchers

15-16. Opposition Leader, Deputy Opposition Leader

17-25. Opposition members

In the ACT, there are 25 Members of the Legislative Assembly (MLAs). There are five multi-member electorates in the ACT, with each electorate represented by five members. Party representation in the Ninth Assembly is:

- 12 MLAs—Australian Labor Party
- 11 MLAs—Canberra Liberals
- 2 MLAs—ACT Greens

For the purposes of this role play, and to reflect the make-up of the Ninth Assembly, students should be divided so that:

- there are two Clerks (these are parliamentary officers—not members);
- the Government has one member less than a majority;
- there is one Speaker (who is also a member of the Government);
- the Crossbench should have a minimum of two members;
- the Opposition is formed from the remaining students.

For example, a class of 29 students would represent a 27-member Assembly where the crossbench holds the balance of power and can vote with either side (depending on its decision). It would be split as follows:

- one Clerk and one Deputy Clerk (parliamentary officers);
- 12 Government members (includes Speaker), 11 Opposition members and four crossbench members.

ROLES

THE SPEAKER

- The Speaker is an elected Member of the Legislative Assembly. He or she is elected by Assembly members to the position of Speaker on the first sitting day of a new Assembly.
- The Speaker controls the proceedings in the Assembly and is responsible for ensuring that members follow the 280 standing orders (rules) that govern the operation of the Assembly.
- Any members wanting to speak during debate must stand up and Speaker will call on them by name. Members who are speaking must address the Speaker as 'Mr/Madam Speaker'. To maintain order, if more than one member is talking at the same time, the Speaker will often say 'order' or 'order, members'.

CLERKS

- There is a Clerk, Deputy Clerk and Clerk Assistant in the Legislative Assembly. They work for the Office of the Legislative Assembly and are not elected. They know all of the standing orders and provide advice to the Speaker on sitting days to help enforce the standing orders. They also provide independent and impartial parliamentary advice to the Speaker and MLAs.
- The Clerks are experts on procedure and keep the official record of sitting days, announce each order of business, time debates, ring division bells and count the votes.

SERJEANT-AT-ARMS

- The Deputy Clerk of the Legislative Assembly is also the Serjeant-at-Arms.
- The Serjeant-at-Arms announces the Speaker and carries in the mace at the start of a sitting day and places it on the stand, large end facing the Government side of the Assembly. Under the Speaker's direction the Serjeant may be required to escort members who have been acting in a disorderly manner from the chamber.

CHIEF MINISTER

- The Chief Minister is the head of the Government. The party with the largest number of members in the Assembly usually forms government.
- The Chief Minister can appoint up to eight members to be ministers (together, they are known as

the Executive).

- For the purposes of this role play, the Government is in favour of the Bill and Government ministers and backbench members wishing to speak need to think of reasons to support the Bill.

LEADER OF THE OPPOSITION

- The Leader of the Opposition is the head of the party that forms Opposition. This is usually the party with the second largest number of members in the Assembly.
- The role of the Opposition is to scrutinize the Government and to be an alternate government in the event that the existing government cannot command a majority support in the chamber. Opposition members are usually given shadow ministerial responsibilities. They are called shadow ministers as they are responsible for 'shadowing' the portfolio responsibilities held by government ministers.
- The Opposition party does not always oppose Government Bills. Sometimes it agrees with the Government to help pass legislation in the Assembly.
- For the purposes of this role play the Opposition is against the Bill, members of the Opposition need to think of reasons against the Bill.

CROSSBENCH

- The members on the crossbench are made up of minor-party members and independents who do not belong to the major parties that usually form the Government and the Opposition.
- Crossbench members hold the balance of power when there is a minority government. The ACT has only had one majority government since self-government began in 1989.
- For the purposes of this role play, crossbench members need to decide their position on the Bill and think of reasons either for, or against. Depending on their decision, the Bill will either pass or fail to pass (that is, the crossbench on this occasion, hold the balance of power on the Bill).

CHAMBER

- Members usually show support for speeches that they agree with by saying 'Hear, Hear'.
- Members often show their opposition to speeches by saying things like 'No' or 'We disagree'.

LEGISLATIVE PROCESS IN THE ACT—FROM A BILL TO AN ACT

POLICY DEVELOPMENT—PRIOR TO THE PARLIAMENTARY PROCESS

Policy development can originate in a number of ways, including but not limited to:

- party policy and new policy ideas;
- election commitments;
- community pressure; and
- Council of Australian Governments (COAG) and inter-governmental agreements.

Legislation (Government and Private Members' Bills)

1. The party approves a policy position to allow for legislation to be developed.
2. Instructions forwarded to the Parliamentary Counsel's Office to prepare a draft Bill.
3. The party considers the draft and any changes are incorporated into a final Bill which is approved for tabling in Assembly.

PARLIAMENTARY PROCESS

Presentation

- Minister/member presents the Bill along with an explanatory statement (all Bills) and Human Rights Act compatibility statement (only for Government Bills);
- Minister/member moves that 'the Bill be agreed to in principle', makes presentation speech; and
- debate is adjourned, Bill is automatically referred to the Standing Committee on Justice and Community Safety (Legislative Scrutiny role).

Agreement in principle

- In-principle debate on Bill resumes (any member can speak during the debate);
- the minister/member who presented the Bill closes the debate; and
- Bill is agreed to 'in principle'.

Detail stage

- Bill considered in detail including clauses, schedules and title; and
- amendments moved and considered.

Agreement/Negatived

- final question, no debate allowed – 'that this Bill be agreed to' or 'this Bill, as amended, be agreed to'.

A BILL TO AN ACT—AFTER THE PARLIAMENTARY PROCESS

1. The Act is prepared and certified by the Clerk as a 'true copy' as passed in the Legislative Assembly for the ACT.
2. Sent to Parliamentary Counsel's Office by the Speaker with a letter asking that it be notified on the [ACT Legislation Register](#) (ACT legislation does not require Royal Assent).

RESOURCE 2—ROLE PLAY

All members stand

Serjeant-at-Arms and Speaker enter the Assembly chamber

Serjeant-at-Arms: Members, the Speaker

Serjeant-at-Arms stands at their chair

Speaker: I acknowledge that we are meeting on the lands of the Ngunnawal people, the traditional custodians. I respect their continuing culture and the unique contribution they make to the life of this area. I would ask members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Speaker sits after 5 seconds silence, all members and Clerks sit

Speaker: Thank you. Clerk, please read out the title of the Bill.

Clerk stands

Clerk: The Children and Young People (Curfew) Bill.

Clerk sits

Speaker: I call on the Chief Minister to speak.

Chief Minister stands

Chief Minister: Thank you, Mr/Madam Speaker. The Government believes a curfew on children who are under 14 years old will help them to get more sleep so they are not too tired at school each day.

[Insert any further prepared speech notes as required]

Chief Minister sits

Speaker: I call on the Deputy Chief Minister to speak.

Deputy Chief Minister stands

Deputy CM: Thank you, Mr/Madam Speaker. Children will benefit from being at home in the evenings to spend time with their family. They can do things together such as play games, read books and get help with their homework.

[Insert any further prepared speech notes as required]

Deputy Chief Minister sits

Speaker: I call on Minister 1 to speak.

Minister 1 stands

Minister 1: Thank you, Mr/Madam Speaker. A curfew for children will mean they can be kept safe from crimes that happen in our city at night.

[Insert any further prepared speech notes as required]

Minister 1 sits

Speaker: Thank you everyone. I'd now like to call on the Opposition Leader speak.

Opposition Leader stands

Opp Leader: Thank you, Mr/Madam Speaker. The Opposition will not be supporting this Bill. Parents look after their children and should be able to decide what time they should be home and when they go to bed.

[Insert any further prepared speech notes as required]

Opposition Leader sits

Speaker: I call on the Deputy Opposition Leader to speak.

Deputy Opposition Leader stands

DepOpp Leader: Thank you, Mr/Madam Speaker. As children get older they should be able to have a say in what activities they do at night. It is not always possible to be home by 8pm and in bed by 9pm.

[Insert any further prepared speech notes as required]

Deputy Opposition Leader sits

Speaker: I call on Opposition member 1 to speak.

Opposition member 1 stands

Opp member 1: Thank you, Mr/Madam Speaker. Children who are home by 8pm will have less chance to participate in theatre, art and other cultural events which often happen in the evening.

[insert any further prepared speech notes as required]

Opposition member 1 sits

Speaker: I call on crossbench member 1 to speak.

Crossbench member 1 stands

Crossbench 1: Thank you, Mr/Madam Speaker. We agree with the Government, children need to be kept safe and have plenty of sleep as they are growing up.

[Insert any further prepared speech notes as required]

OR

Thank you, Mr/Madam Speaker. We agree with the Opposition and will not be supporting this Bill. It is not the role of the Government to decide when children should be at home and in bed.

[insert any further prepared speech notes as required]

Crossbench member 1 sits

Speaker: Are there any further members who wish to speak on the Bill?

[Speaker to select a member who is standing up]

Members wishing to speak stand

Selected member remains standing to speak, all other members who were standing sit again

Member: Thank you, Mr/Madam Speaker.

[Student to say what they would like to say]

Member sits

[Repeat the process until all members who would like to speak have had a chance to present their case, remember everyone only gets 1 chance to speak. Once everyone has had a chance to speak the Bill moves to the vote]

Speaker: Members, should this Bill be agreed to in principle?

Members who say yes, please raise your hands. Clerks please count the votes.

Clerk and Deputy Clerk write number of yes votes on a piece of paper. Remember the Speaker gets a vote and in this case and would be voting yes with the Government so don't forget to count them also.

Members who say no, please raise your hands. Clerks please count the votes.

Clerk and Deputy Clerk write number of no votes on a piece of paper, check that they have the same number for each vote (yes and no). If not you will need recount.

Clerk to give the Speaker the piece of paper telling them how many people voted yes and how many voted no.

Speaker will announce the result.

Speaker: Members, the result is:

Yes = votes

No = votes

(if there are more yes votes)

Speaker: The Bill is passed by the Assembly

OR

(if there are more no votes)

Speaker: The Bill is not passed the Assembly