



Letter of Advice Competition Scenario

Entries due 25th of April, 2014

In NSW, on the 7th of February, 2014, Elizabeth, aged 19, and her younger sister Louise, aged 15, decide they want to go out to the local nightclub, Mojoes, while their parents are away for the weekend. In order for Louise to be able to enter the nightclub, Elizabeth asks one of her friends, Jane, who has a similar appearance to Louise, to borrow her I.D for the night and Jane agrees. Elizabeth then does Louise's hair and makeup and lets Louise borrow one of her dresses so that Louise looks older and closer to Jane's appearance. They have around 4 alcoholic drinks each across 2 hours while at home and then catch a taxi to the nightclub at 11pm. The bouncer checks both of their IDs, does not suspect anything and allows them to enter the club. At around 11.30pm, Brett, aged 23, walks up to Louise and asks if he can buy her a drink. Louise agrees because Elizabeth has left her to go dancing with her friends. Brett buys her an alcoholic drink and they sit down at a booth together. Brett asks Louise straight away how old she is, and she lies and says she is 18, as she was instructed to do by Elizabeth. They keep chatting and Brett buys her 2 more drinks over the course of the hour. During this time Brett has been touching Louise's thigh and she has been holding his hand. Brett then goes to kiss Louise and she reciprocates. They are "making out" for about 10 minutes until Elizabeth comes up to them and asks if they want to catch a taxi back to their house with her. Brett and Louise agree and they all catch a taxi back to Louise and Elizabeth's house at around 1am. Louise takes Brett's hand and leads him inside to her bedroom where they proceed to have sexual intercourse. Brett puts his clothes on and leaves in the middle of the night by texting a friend to come pick him up. Louise writes in her diary the next day all about what happened the night before. A few days later her mum goes to put Louise's clothes away and finds Louise's diary in one of the drawers. Louise's mother reads the entry about Brett and is very upset. The diary contains Brett's last name and even where he works, so Louise's mother takes this to the Police as evidence and wants to have Brett charged. Brett has never had any prior convictions.

Write a letter of advice to Brett regarding the possible legal consequences of that night and any defences he could possibly use.

