Welcome back to another school year! 2016 is already proving to be an exciting year for ThinkUKnow with our presentations undergoing a major re-design and content refresh, and our youth sessions extended to include grades three and four. For more information on booking a parent, carer, teacher presentation, please visit our booking page. We may only be a few weeks into the school year but already we’ve experienced the misuse of technology in the form of hoax bomb threats and filmed fights. In the first issue of the ThinkUKnow e-newsletter for 2016, we’re going to explore the challenges of filmed fights and provide some advice to deter young people from involvement in these incidents.

**Why is filming a fight problematic?**

Filming something is not always a passive activity as the presence of a camera can change how a situation unfolds. For example, find a friend or a colleague to use as a test subject. Look closely at their facial expression, then pull out your phone and tell them you are about to take a photo of them. As you point the camera on your phone at your test subject, look again at their facial expression and see how it differs from what they looked like before you tried to film them. When we know, or suspect, that someone is watching us, we act differently. We may try to hide what we are doing, or even perform to the camera. Even documentary filmmakers who try and record animals in the wild must take great care in hiding cameras so that they can truly observe these animals performing their normal activities and not trying to make sense of the strange, shiny object in their face.

When a fight is being filmed, the people engaged in the altercation might perform for the camera by acting more violently or aggressive. This might make for entertaining viewing, but for the victim, it can result in serious and long-lasting damage. Filming a fight, even one that might initially be a staged fight, can incite participants to exaggerate their actions to look good on camera and can end in serious injury, even death.

**Is it a crime to film a fight?**

In many jurisdictions, the filming of a fight in a public space may not be a criminal offence. However, if the fight is filmed on private property, the owner has the right to restrict filming or photographing on their premises. What is done with the filmed fight, however, may fall under other criminal and civil laws. For example, if a filmed fight is posted online as a form of harassment, it may fall under stalking legislation or Commonwealth law relating to the use of a carriage service to menace, harass or cause offence.

The filming of the fight may not be criminal, but the fight itself is likely to constitute an assault which is a criminal offence. The footage of the fight captured on a phone may be used as evidence of the assault and the phone may be seized for the case to go before the courts (which may take more than twelve months). Viewing the footage on a phone may also reveal witnesses filming the fight and their devices might be seized as well.

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