



Quiz

Assault and False Imprisonment by the State

1. Why was Mr Bulsey arrested?
 - a. For speaking prior to a riot that resulted in police buildings being burnt down
 - b. Members of the Special Emergency Response Team formed reasonable suspicions that he had, was or would be committing a crime
 - c. Allegations of domestic violence
 - d. He breached director's duties in the management of a corporation
2. What causes of action did Mr Bulsey initially make against the State of Queensland?
 - a. Assault & battery arising from a wrongful arrest
 - b. False imprisonment
 - c. Malicious prosecution – although not proceeded with
 - d. All of the above

3. Why was Mr Bulsey's arrest considered wrongful?
 - a. The arrest WAS LAWFUL as a result of the effect of s 198(2) of the *Police Powers and Responsibilities Act 2000* (Qld)
 - b. The arrest WAS LAWFUL as a result of the effect of the *Public Safety Emergency Preservation Act 1986* (Qld)
 - c. No statutory power or common law principle empowered the police to arrest him without a warrant and without them personally having a reasonable suspicion that he committed a crime
 - d. The police used excessive force in undertaking an otherwise lawful arrest
4. Why was the trial judge's view on Ms Lenoy's unreliability overruled?
 - a. Delayed decision of the court at first instance meant that it was likely the court had engaged in flawed reasoning
 - b. A police officer had provided a statement corroborating Ms Lenoy
 - c. Fresh evidence
 - d. a. and b.
5. Was Mr Bulsey able to claim damages for humiliation and distress?
 - a. Yes – they were factored into aggravated general damages for "non-personal injuries"
 - b. Yes – these damages fall into general, compensatory damages
 - c. No – only damages for "personal injury" were claimed in the pleadings
 - d. No – damages for humiliation and distress are excluded by the *Civil Liability Act*

Answers:

1. a 2. d 3. c 4. d 5. a