



## WHEN CAN I?

This sheet is intended to provide general information only, not advice. If you have a particular legal problem you should contact a solicitor. Each section ends with a list of agencies who might be able to assist you, including legal agencies. The Youth Advocacy Centre does not accept responsibility for any action arising out of reliance on this information. This section was last updated June 2009. This legal information is relevant to Queensland, Australia.

### AT 10

- you can be taken to the Childrens Court if you break the law.

### AT 12

- you can have your say before you are adopted and you cannot be adopted without your consent;
- you must agree before your parents can change and register a different surname.

### AT 13

- you can get a part-time job if:
  - for no more than 4 hours a day on a school day between 6am and 10pm;
  - you cannot work for longer than 12 hours during Monday to Friday in school semesters;
  - outside school days you can work up to 8 hours a day;
  - on school holidays you can work up to a maximum of 38 hours a week.

### AT 15

- you can get your own Medicare card;
- if you have completed year 10 and have a certificate III or IV you can get a full-time or part-time job (you can get a part-time job before this if it is outside school hours);
- you can get Youth Allowance (if you are regarded as independent).

### AT 16

- you can get Youth Allowance (if certain conditions are met);
- you can have sex with a person without breaking the law (**both must agree and both must be 16 or older. It is against the law to have anal sex until both partners are at least 18 years of age**);
- you can get a learner driver's permit.

### AT 17

- you can get a driver's licence;
- you can be taken to the adult courts if you break the law;
- you can be sent to an adult jail if a court orders you to be locked up for an offence.

### AT 18

- you must vote (but you need to put yourself on the electoral roll);
- you can buy alcohol and go to a public bar;
- you can buy cigarettes;
- you can be held responsible for any agreement you make (for example, if you borrow money, rent a flat, sign any contract);
- you can get married (without the courts permission);
- you can get a tattoo;
- you can have anal sex with another person (**both must agree and both people must be 18 or older**);
- you can make a valid will;
- you can buy a can of spray paint;
- you can change your name;

- you can have your body pierced;
- you can apply for an Australian passport without your parent's consent.

You are now in control of your life. The law says you are an adult and you don't need your parents' permission to do anything.

### **At any age**

- you can buy condoms;
- you can open a bank account providing you can sign your own name;
- you can apply for your own Australian passport (if you are under 18, you will need your parents' agreement);
- you can get legal advice;
- you can give evidence at court;
- you can complain about government departments and their staff (police, teachers, family services officers) or any other agencies you have contact with;
- you can see a doctor and get medical advice and ask to have information about you kept confidential (but this may not happen in certain circumstances particularly if the doctor thinks you are at risk of harm);
- you can smoke cigarettes BUT you cannot give or sell a cigarette to a person under 18 (this is an offence).

### **What are "rights"?**

In 1990, the Australian Government entered an agreement to adopt the United Nations Convention on the Rights of the Child (CROC). This is a formal protection of human rights for children. This Convention is the most widely ratified human rights treaty in the world.

This means that, along with many other countries in the world, Australia has agreed that people under 18 have rights, that is, they must be treated fairly. Unfortunately, governments in Australia do not always ensure this happens. Such rights apply regardless of your skin colour, sex, religion, disability etc.

Here are some examples of rights which young people have under the Convention:

- right to a name, to be part of a country and to be known and cared for by your parents;
- right to say what you think and to be listened to;
- right to look for information, receive it and pass it on by writing, speaking, art, etc;
- right to freedom of thought, conscience and religion;
- right to meet with others and to join or form groups;
- right to privacy;
- right not to be abused, neglected or exploited;
- right to the best possible health and medical care;
- right to an education;
- right to enjoy your own culture, religion and language;
- if you have been accused of breaking the law, the right to be treated with respect and to have legal help;
- if you are in care, the right to suitable alternative care with a family or institution and for regular checks that this is working well for you.

You can see a copy of the Convention on the UNICEF website - [www.unicef.org](http://www.unicef.org)

If you feel that you have been treated unfairly, it may be best to try to talk to the person who is being unfair and explain why you feel you are being treated unfairly. The Human Rights and Equal Opportunity Commission (HREOC) should check that the Convention on the Rights of the Child is being followed and you can contact them if you are having hassles.

**Who can help?**

*Human Rights & Equal Opportunity Commission (HREOC):*

*General Enquiries*

**1300 369 711**

*Complaints*

**1300 656 419**

*Youth Advocacy Centre*

**3356 1002**

*Logan Youth Legal Service*

**3826 1500**

*Aboriginal & Torres Strait Islanders Legal Service*

**3025 3888**

**Free call**

**1800 012 255**

*Legal Aid Queensland*

**1300 651 188**

*Refugee and Immigration Legal Service*

**3846 3189**

*Kids Help Line*

**1800 551 800**

*South West Brisbane Community Legal Centre*

**3372 7677**

*Translating & Interpreting Service (24 hr)*

**131 450**