



WHEN CAN I

This sheet is intended to provide **general legal information** about the law in Queensland. It is not legal advice. If you have a particular legal problem you should contact a solicitor for legal advice. At the end is a list of agencies that might be able to assist you, including legal agencies.

AT 10

- you can be charged and taken to court if the police believe you broke the law

AT 11

- you can have a delivery job (if your parents consent) but cannot work before 6.00am or after 6.00pm

AT 12

- you must agree before your parents can change and register a different surname

AT 13

- you can get a part-time job if:
 - you do not work during any time you are supposed to be in school while you are under 16
 - you work for no more than 4 hours a day on a school day between 6am and 10pm
 - you work no more than 12 hours during Monday to Friday in school semesters

BUT

- 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 another person (including same sex) who is also 16 or older, if they agree, without breaking the law. This includes anal sex
- you can get a learner driver permit
- you can enrol to vote but will not be able to vote until you turn 18

AT 17

- you can get a provisional driver licence

AT 18

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.

- 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

- you must vote (you must enrol to vote within 21 days of turning 18)
- 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 anyone's permission
- you can get a tattoo
- you can make a valid will
- you can buy a can of spray paint
- you can change your name without anyone's permission
- you can have your genitalia including the nipples pierced
- you can apply for an Australian passport without your parent's consent
- you can now engage in consensual sexting if all of the people involved are 18 or over

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
- if there is a court application about you being adopted, and you understand what is being proposed, you must be given information and any other support you need and you can have your say about what is proposed for you and the court must consider your views
- you can complain about government departments and their staff (police, teachers, child safety 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 will be breaking the law if you give or sell a cigarette to a person under 18

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, that is, everyone under 18 years of age. 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 and they also need some protections. Unfortunately, governments in Australia do not always ensure this happens.

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 to not 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.

Such rights apply regardless of your skin colour, sex, religion, disability etc. You can see a copy of

the Convention on the UNICEF website - 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.

Queensland also has a Human Rights Act which includes these rights and many others. Such rights apply regardless of your skin colour, sex, religion, disability etc. The Act sets out rights which are particularly important for young people under 18, including the right to privacy, education and protection, the right to enjoy culture and language, right to legal advice and representation, being held separately from adults if in custody on a charge, and the right to go to trial as quickly as possible.

If you feel that you have been treated unfairly by a state government agency (eg school, police, Child Safety) or someone providing a service to you that is paid for by the government (eg a residential) 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. If you are not happy with their response you can then put a complaint in to the Queensland Human Rights Commission. They can investigate what you say happened and decide whether the Human Rights Act has been breached.

Who can help?

<i>Queensland Human Rights Commission</i> www.qhrc.qld.gov.au	1300 130 670
<i>Australian Human Rights Commission</i> www.humanrights.gov.au	<i>General Enquiries</i> 1300 369 711 <i>Complaints</i> 1300 656 419
<i>Youth Legal Advice Hotline</i>	1800 527 527
<i>Youth Advocacy Centre (YAC)</i> www.yac.net.au	3356 1002
<i>Hub Community Legal</i> www.communitylegal.org.au	3372 7677
<i>YFS Legal</i> www.yfs.org.au	3826 1500
<i>Legal Aid Queensland</i> www.legalaid.qld.gov.au	1300 651 188
<i>Aboriginal & Torres Strait Islander Legal Service</i> www.atsils.org.au	3025 3888 or (free call)1800 012 255 (24hrs 7 days a week)
<i>Translating & Interpreting Services (24hrs)</i>	131 450
<i>Kids Help Line</i>	1800 551 800
<i>Refugee and Immigration Legal Service</i> www.rails.org.au	3846 9300
<i>Community Legal Centres (CLCs) see www.naclc.org.au for your nearest CLC</i>	

This information was last reviewed and updated in January 2020. The Youth Advocacy Centre does not accept responsibility for any action or outcome as a result of anyone relying on the information provided.