

## Legal

Young people are often unaware of their rights, and often feel powerless to enforce them. They therefore can be vulnerable to having their rights neglected or abused.

Workers have a responsibility to ensure young people's rights are respected and protected. Although you may not have specific legal expertise, you still have the responsibility to inform and empower young people, and can do this by educating them about their rights and assisting them to exercise these rights when appropriate.

In this section you will find:

- Information on the ACT legal age restrictions that apply to children and young people;
- A youth specific legal service; and
- Resources including more services.

The following sections also contain legal resources: Alternative Education, Counselling, Gay, Lesbian, Bisexual, Transgender, Intersex, Queer and/or Questioning, Family, Peak Body, Youth Centres and Youth Support.

## Ways of Working

### Age restrictions that apply to children and young people undertaking certain activities.

The following list is intended to be a general guide only. If you or a young person have questions it's important to get advice about the particular situation.

#### Any age:

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- Make a complaint
- Get legal advice
- Open a bank account
- Talk to a counsellor
- Get a tattoo (with parent/guardian's written permission)
- Buy condoms (they are free from most family planning clinics)
- Visit a General Practitioner or Sexual Health and Family Planning ACT with a parent or carer

#### 10 years old:

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- Be charged with a crime. The law presumes that a child aged 10 but not yet 14 cannot be convicted of an offence unless there is proof that the child understood what they did or did not do was wrong.

#### 14 years old:

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- See a doctor or visit Sexual Health and Family Planning ACT or another service without a parent or carer

### 15 years old:

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- Leave school
- Get a Medicare card
- Get a full-time job
- Apply for a Centrelink payment

### 16 years old:

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- Have sex (as long as both people consent)
- Get a prescription for contraceptives (eg. birth control pill)
- Apply to Housing ACT for a place to live
- Apply for Youth Allowance at Centrelink
- Get married (with your parents' and/or the court's permission)
- Apply for an ACT Learner's licence (L-plate) to drive a car
- Consent to a medical procedure without parental permission

### 17 years old:

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- Apply for an ACT Provisional driver's licence

### 18 years old:

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- Change your name without your parent's consent
- Get a tattoo without your parents' or guardians' permission
- Buy alcohol, tobacco and cigarettes
- Get married
- Vote in elections and stand for Parliament
- Sign contracts
- Go into a licensed venue (pub, club etc)
- Make a will
- Enter a casino or gamble
- Be sent to an adult prison

The information is taken from '*When Can I*', a legal information handbook for young people, published by Legal Aid Office ACT in 2008. To obtain copies contact Legal Aid ACT.

**Phone:** (02) 6243 3419

**Email:** [legalaid@legalaid.canberra.net.au](mailto:legalaid@legalaid.canberra.net.au)

## Services

### Youth Law ACT

Legal service for young people.

|                            |  |
|----------------------------|--|
| <b>Phone</b>               | (02) 6262 7077   |
| <b>Mailing Address</b>     | Level One, Savings House, 8 – 10 Petrie Plaza,<br>Civic ACT 2601           |
| <b>Email</b>               | <a href="mailto:contact@youthlawact.org.au">contact@youthlawact.org.au</a> |
| <b>Website</b>             | <a href="http://www.youthlawact.org.au">www.youthlawact.org.au</a>         |
| <b>Location</b>            | Level One, Savings House, 8 – 10 Petrie Plaza,<br>Civic                    |
| <b>Parent Organisation</b> | Legal Aid  |

### Who Can Access:

The Big Red Book: A Handbook and Directory for People who Work with Young People in the ACT  
Youth Coalition of the ACT

Version 5, 2009

[www.youthcoalition.net](http://www.youthcoalition.net)

|   |                   |
|---|-------------------|
| <i>Gender</i>                           | Females and males |
| <i>Age</i>                              | 12 – 25           |
| <i>Young people under the influence</i> | No                |
| <i>Income required</i>                  | No                |
| <i>Disability access</i>                | Yes               |
| <i>Children of clients</i>              | Yes               |

|                      |  |
|----------------------|--|
| <b>How to Access</b> | By phone, email and drop in, 1pm – 5pm, Monday - Friday. No referral necessary.  |
| <b>Programs</b>      | Provides legal information and advice, advocacy, resource development and referrals. Work is done in schools and youth services as part of their community legal approach. |
| <b>Families</b>      | Family and support people can access some programs.  |

**The following services also provide legal assistance:**

- Children and Young People Focus Worker, Domestic Violence Crisis Service (Youth Support)
- Children and Young People's Workers, Canberra Rape Crisis Centre (Youth Support)
- Open Family Australia (Youth Support)
- See also the Youth Centres section

## Resources

### More Legal Services

The services listed in this section provide free, confidential legal advice in the ACT. The Youth Coalition gratefully acknowledges the Legal Aid Office ACT for compiling this information.

#### **Care Inc. & the Consumer Law Centre**

Provides financial counselling for people on low incomes who have debt or other financial issues. The Consumer Law Centre provides free legal advice and assistance on consumer credit, telecommunications, utilities, fair trading and consumer protection.

**Phone:** (02) 6257 1788

**Email:** [admin@carefcs.org](mailto:admin@carefcs.org)

**Website:** [www.carefcs.org](http://www.carefcs.org)

**Location:** Shop 16, Level 1, 2 Akuna Street, Civic

#### **Disability Discrimination Legal Service**

Provides free legal advice and assistance for people who have faced discrimination based on their disability. Appointments required.

**Phone:** (02) 6247 2018

**Email:** [wrlc@netspeed.com.au](mailto:wrlc@netspeed.com.au)

**Website:** [www.welfarerightsact.org](http://www.welfarerightsact.org)

**Location:** Havelock House, Gould Street, Turner

#### **Law Society of the ACT**

Free legal advice is available by appointment, 12.30 - 2pm, Monday - Friday.

**Phone:** (02) 6247 5700  
**Email:** mail@actlawsociety.asn.au  
**Website:** www.actlawsociety.asn.au  
**Location:** First Floor, 1 Farrell Place, Civic

### **Legal Aid Office (ACT)**

Provides free legal advice and assistance by phone or appointment. Legal representation is available for some people with certain legal issues who cannot afford a private solicitor. Open 9am – 4pm, Monday – Friday.

**Phone:** Office: (02) 6243 3411  
Appointments: (02) 6243 3471  
Free Legal Advice Line: 1300 654 314

**Website:** www.legalaid.canberra.net.au

**Location:** 4 Mort Street, Civic (in the bus interchange)

### **Migrant Resource Centre**

Can provide support and arrange one free consultation with an immigration lawyer.

**Phone:** (02) 6248 8577

**Website:** www.mrccanberra.org.au

**Location:** 1st Floor, Griffin Centre, Bunda Street, Civic

### **Pro Bono Clearinghouse**

Accepts applications for pro bono legal assistance from people who have a legal issue but who cannot afford professional legal fees. Forms available online or by phone.

**Phone:** (02) 6247 5700

**Website:** www.actlawsociety.asn.au

### **South Eastern Aboriginal Legal Service**

Provides legal advice and representation for Indigenous people in the ACT and surrounding region.

**Phone:** (02) 6249 8488

**Location:** Ground floor, Fujitsu House, Moore Street, Civic

### **Tenants Advice Service**

Programs Provides free legal information and advice, advocacy, and referrals. Also provides community legal education through presentations and workshops on tenancy issues to community workers, school groups and other interested groups of people.

**Phone:** (02) 6247 2011 (9:30am-1pm Monday-Friday, 4:30-8pm Tuesday)

**Website:** www.tenantsact.org.au

### **Welfare Rights and Legal Centre**

Provides legal advice and assistance on a range of legal issues including: income support (social security, student assistance and veterans' assistance), tenancy (private tenancy and government housing), and Legal Aid appeals.

**Phone:** (02) 6247 2177

**Email:** wrlc@ozemail.com.au

**Website:** www.welfarerightsact.org

**Location:** Havelock House, Gould St, Turner

### **Women's Legal Centre**

Provides legal advice, referrals and information for women with legal issues including divorce and separation, custody, property settlement, domestic violence, child support, going to court, sexual harassment, discrimination and workplace issues.

**Phone:** Advice: (02) 6257 4499

Office: (02) 6257 4377

**Website:** [www.womenslegalact.org](http://www.womenslegalact.org)

## More Services

### **ACT and Commonwealth Ombudsman**

Takes complaints about administrative actions or decisions made by ACT and Commonwealth Government agencies or bodies – including ACT Policing. An independent, confidential and impartial body with recommendation powers if complaints are found to be justified.

**Phone:** 1300 362 072

**Email:** [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

**Web:** [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

### **Community Youth Justice**

*Department of Disability, Housing and Community Service*

Responsible for the supervision of young people who have been placed on a Court Order by the ACT Children's Court or the ACT Supreme Court. Supervision is provided through a management model that balances community protection, restitution and rehabilitation.

**Phone:** 13 22 81 (Canberra Connect)

**Web:** [www.dhcs.act.gov.au/ocyfs/services/community\\_youth\\_justice](http://www.dhcs.act.gov.au/ocyfs/services/community_youth_justice)

### **Interview Friends Program**

*Public Advocate of the ACT (PA ACT) - previously known as the Office of the Community Advocate (OCA)*

When a child or young person has been taken into custody by the Australian Federal Police and is to be interviewed regarding an alleged offence, an interview friend must be present for the interview. An interview friend can be a parent, guardian, relative or friend of the child or young person, a legal practitioner, or an independent person. The PA ACT administers the ACT Interview Friends Program and, in doing so, recruits, trains and supports independent volunteers to act as interview friends when needed.

The roster operates weekends and public holidays, and between 5pm and 8am Monday to Friday. Additionally, Youth in the City (Civic Youth Centre) maintains a day-time roster of interview friends which operates between 9am and 5pm Monday to Friday.

**Phone:** (02) 6207 0707

**Email:** [pa@act.gov.au](mailto:pa@act.gov.au)

### **Bimberi Youth Justice Centre**

*Department of Disability, Housing and Community Services*

Bimberi Youth Justice Centre is the ACT's new youth custodial facility located in Morisset Rd, Mitchell Canberra. It replaces the Quamby Youth Detention Centre. Bimberi is the first youth custodial facility in Australia to be designed, built and operated under Human Rights legislation. The centre is managed by the ACT Government through the Department of Disability, Housing and Community Services. The purpose-built centre is designed in the style of a secondary school campus and can accommodate up to 40 young people aged from 10 - 18 years but can

accommodate some young people up to age 21. Bimberi staff work with government agencies and community organisations providing education, training, healthcare and recreation to address the needs of young people. Bimberi's key objective is to assist sentenced young people to understand, address and take responsibility for their offending or risk taking behaviours.

**Web:** [www.dhcs.act.gov.au/ocyfs/bimberi](http://www.dhcs.act.gov.au/ocyfs/bimberi)

### **Restorative Justice Unit**

*Department of Justice and Community Safety*

Responsible for assessing victims, offenders and their supporters to determine whether they are suitable to participate in restorative justice. Also responsible for conducting restorative justice conferences and monitoring any agreements reached.

**Phone:** 13 22 81 (Canberra Connect)

**Web:** [www.jcs.act.gov.au](http://www.jcs.act.gov.au)

### **Sobering Up Shelter**

*Centacare Canberra*

Aims to, where possible, provide an alternative to police lock up (the watch house) for people who are intoxicated.

**Phone:** (02) 6163 3711

**Email:** [soberingupshelter@centacare-canberra.org](mailto:soberingupshelter@centacare-canberra.org)

**Web:** [www.centacare-canberra.org](http://www.centacare-canberra.org)

### **TurnAround**

*Department of Disability, Housing and Community Services*

Turnaround was established in response to a review of Intensive Youth Support Services in the ACT, *Turning Lives Around*, 2002. Referrals are open to a wide range of government and non-government service delivery agencies. To be referred, a young person must be between 12 and 18 years old, have consented to the referral and is primarily a resident of the ACT at the time of referral, have multiple and complex presenting problems, have high and complex needs that are not met or sustained by existing services, have challenging behaviours that place the individual at high risk to self, service staff and/or the community, have chronic or episodic behaviours and/or conditions that require long term service responses, require a service response from two or more programs areas, have a specific need for which there is no adequate service system response, and/or requires a tailored funding package (usually at high cost).

**Phone:** 13 22 87 (Canberra Connect)

**Web:** [www.dhcs.act.gov.au/ocyfs/services/turnaround\\_program](http://www.dhcs.act.gov.au/ocyfs/services/turnaround_program)

## **More Information**

### **Human Rights Audit of Quamby Youth Detention Centre**

*Human Rights and Discrimination Commissioner, ACT Human Rights Office*

Published 2005.

**Web:**

[www.hrc.act.gov.au/index.cfm?MasterTypeID=1&SectionTypeID=7&MainTypeID=7](http://www.hrc.act.gov.au/index.cfm?MasterTypeID=1&SectionTypeID=7&MainTypeID=7)

### **Lawstuff**

*National Children's and Youth Law Centre*

Information about young people's legal rights and obligations in every Australian state and territory.

**Web:** [www.lawstuff.org.au](http://www.lawstuff.org.au)

**Restorative Justice Resource**

*Restorative Justice Unit, Department of Justice and Community Services*

A comic that describes the restorative justice process. ACT specific.

**Phone:** 13 22 81 (Canberra Connect)

**Web:** [www.jcs.act.gov.au](http://www.jcs.act.gov.au)

**When Can I?**

*Legal Aid ACT*

An ACT specific legal information handbook for young people. Published 2008.

**Phone:** (02) 6243 3419

**Email:** [legalaid@legalaid.canberra.net.au](mailto:legalaid@legalaid.canberra.net.au)

**Web:** [www.legalaid.canberra.net.au/documents/publications/when\\_can\\_i\\_2002.pdf](http://www.legalaid.canberra.net.au/documents/publications/when_can_i_2002.pdf)