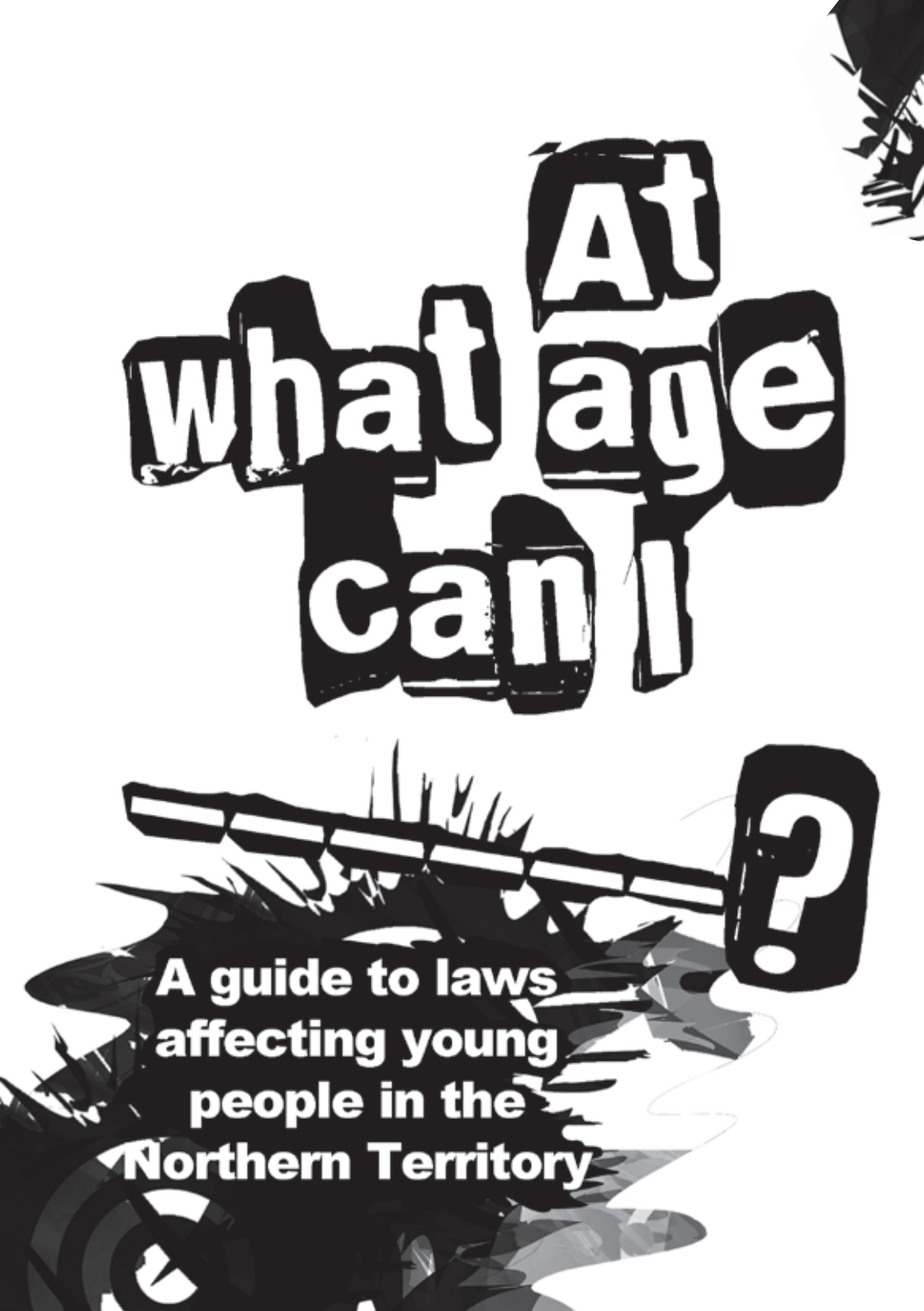
At what age can I ?



A guide to laws affecting young people in the Northern Territory

Acknowledgements

What Age Can I? A guide to the laws affecting young people in the Northern Territory

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This guide has been produced to help young people in the Northern Territory understand some of the laws that say what they can and can not do.

It is meant as a reference guide only. We strongly encourage people to call the Legal Aid Helpline on 1800 019 343 for information and referral for assistance about your particular problem and circumstances.

The legal information contained in the guide was correct at the time of printing, but may change without notice.

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This section talks about what punishments you may receive for breaking school rules.

LEARN or EARN

You have to stay in school until you turn 15 and have completed Year 10. Then, until you turn 17 you must participate in full-time (25 hours per week) further education, approved training courses or employment, or a combination of those.

If you complete Year 10 before you turn 15, you have to continue in school or remain in other approved training, or a combination of education, training and part-time employment until you turn 15. After you turn 15 you will be able to go into full-time employment.

If you are under fifteen, you may only be allowed to leave school in special circumstances. This may include:

- Attending schooling through distance education
- Attending home schooling
- Becoming too sick to attend school

➤ **Check out:**
www.det.nt.gov.au/parents-community/beyond-school/learn-or earn-for-15-17-years

Suspension from school

What is suspension?

Suspension is a type of punishment that forbids students from attending school for a short period of time. You may be suspended from school by your Principal if your behaviour is harmful to the health or moral welfare of other persons in the school. Harmful behaviour includes:

- Damaging or stealing school property
- Acting in a violent manner
- Being repeatedly insolent or disobedient
- Selling, using or bringing drugs to school
- Serious breach of discipline
- Bullying other students or teachers

Why have I been suspended?

Before suspending you, the Principal should in writing:

- Tell you they are thinking about suspending you from school
- Give you the reasons for this
- Give you full details of what they say you have done wrong
- Give you an opportunity to give your side of the story

If you have been suspended from school, the principal should clearly explain why. The principal should also allow you to explain your side of the story.

If you are suspended your school should still work with you to ensure that you have educational support and schoolwork to continue on with during the suspension. This is so you don't fall behind academically during the suspension.

If the principal is satisfied that you are sorry for what you have done, and that you have agreed to behave in the future, the principal may decide to let you come back to school before the suspension period has finished.

How long can I be suspended for?

Students should not be suspended for more than one month.

What can I do if I don't agree with a decision to suspend me from school?

You or your parent can ask the principal to meet to review the suspension.

If you still are not satisfied, you can complain to your Department of Education and Training (DET) Regional Office. If you are not happy with the response from DET You can complain to the NT Ombudsman.

Expulsion from school

What is expulsion?

Expulsion is a type of punishment that permanently forbids students from attending a particular school. Students usually face expulsion from school when their behaviour is so serious that the punishment of suspension is not enough. Only the Minister for Education has the power to expel a student from a Government school, and only if the Minister thinks it is necessary and in the interests of other people who attend the school.

Why have I been expelled?

If you have been expelled the Minister of Education should provide you or your parent a Notice of Expulsion. They should clearly explain why you have been expelled and allow you to explain your behaviour. If you don't agree with the Minister's decision, and would like further advice about what to do you should contact the Northern Territory's Department of Education or the NT Ombudsman for the Northern Territory.

The Minister has the power to revoke the expulsion if they believe that your circumstances or behaviour has changed and you should no longer be expelled from the school.

Do I still have to go to school if I am under 17 and have been expelled?

Yes (unless you are in a training program or working). If you have been expelled, and have not reached the school leaving age, you have to enrol at a distance education centre, enrol in a private school, or, if the Minister of Education gives you permission, enrol at another Government school.

Skipping school

If you are under the age of 17 and are caught skipping school, you may be asked by a police officer or a truancy officer, to explain yourself. Additionally, if the officer is not satisfied with your explanation for not being at school, they may escort you back to your school principal, or take you home.

Bullying

What is Bullying?

Bullying is something done on purpose against a person or group of people to upset or hurt them. Anyone may be a victim of bullying, even teachers.

There are several forms of bullying including:

- Physical bullying - this is when a person's body is hurt due to another person hitting, pinching or kicking them. It can also mean stealing or damaging another person's property
- Verbal bullying - this is when a person has been spoken to in a way that is hurtful and mean. For example, teasing, name calling and spreading rumours are forms of verbal bullying
- Non-Verbal bullying - this includes things that upset, exclude or embarrass a person. For example, leaving some one out of a game or activity on purpose, making rude gestures and writing nasty letters are all forms of non-verbal bullying
- Cyber bullying - writing/forwarding linking to private emails, text messages, instant messaging, recording someone without their permission, broadcasting images or posts on social network sites with the intention of hurting or upsetting another person

Is Bullying Wrong? How can I stop it?

Bullying is never acceptable. If you are being bullied you can and should take action to stop it. Make a list of things that have happened to make you feel upset or hurt and speak to an adult you trust about the problem. Usually your parents, teachers, school principal, school counsellor and/or school based constable will be able to help you. You can also contact the following telephone counselling services or get information from their websites:

- **Lifeline:** 131 114
- **1800 MYLINE:** 1800 695 463
- **Kids Help Line:** 1800 55 1800

Sometimes bullying becomes a police matter involving a criminal investigation and/or charges. You might also be able to get an order from the court which sends a message to the bully that their actions need to stop. If the bully doesn't stop then there will be legal consequences.

Check out: www.bullyingnoway.com.au **OR** www.thinkuknow.org.au

Living Independently

Leaving Home

Before leaving home you should consider where to live, who to live with and how to financially support yourself. It is best to consider your situation and options before moving out. For example, leaving home may give you greater freedom however it is more expensive than living at home and involves more responsibilities.

The Northern Territory Courts may order people less than eighteen years of age to live at home, with a particular person or at a particular place.

Social Security, Centrelink and Allowances

*Please note that the rules about Social Security change often. Please check with Centrelink what the most recent rules are for receiving payments.

Youth Allowance

This is a payment for young people who need financial support while studying, training or looking for a job.

Centrelink may give you Youth Allowance if:

- You're a full-time student aged 18 to 24
- You're doing an Australian apprenticeship full-time and you're aged 16 to 24
- You're aged 16 to 20 and are looking for a full-time job or you're combining part-time study with looking for work.

To receive Youth Allowance at the age of 15 you must meet certain rules. If you are a full-time student and aged less than 16 you may be eligible for Special Benefit if you are not supported by a parent or guardian. This can be very difficult. Get legal help.

Centrelink may consider you to be 'independent' and they may give you a higher rate of Youth Allowance if you're aged over 22 (this is the age of independence from 1 January 2012) and are a full-time student or apprentice. If you're under 22 you might still be considered independent if:

- You're an orphan, in state care (or have stopped being in state care because of your age), or you are a refugee or homeless
- Your parents can't provide a home, care or support
- You have a dependent child
- You've supported yourself by working (there are conditions that you need to meet)
- You have been legally married, in a registered relationship, or living in a de facto relationship.

This can be complicated. Get legal help.

If you are a full-time secondary student who is under 19 and living with one or both of your parents, or with a guardian, you may not be eligible for Youth Allowance after 1 January 2012. Contact Centrelink or use the online calculator on the Centrelink website to compare payments and work out what's best for you.

Everyone who gets Youth Allowance payments must meet certain rules that Centrelink makes. If you break these rules, Centrelink may not pay you. In some cases, Centrelink may want you to agree to an Employment Pathway Plan, where you have to do certain activities each week, such as training, paid work experience, or voluntary work. If you don't agree to a plan, or if you don't stick to a plan that you've agreed to, Centrelink may not pay you. If you're sick and are temporarily unable to work, study or look for work, Centrelink may still pay you Youth Allowance. You have to get a medical certificate.

If you're under 18 and you leave school before finishing SACE and you don't plan on doing any further study or training, Centrelink may be unable to give you a payment. You may have to rely on your parents to support you unless you can find work. If you can't live at home, stay at school or find the right

study or training programs, ask to see the social worker at your local Centrelink office to talk about your options. Call 131 021 to make an appointment.

Abstudy

This is a type of payment for Indigenous people who are studying. If you're at primary school, you must be at least 14 years old for Centrelink to give you Abstudy. There's no age limit for secondary school students.

Parenting Payment

If you have a dependent child, Centrelink may give you a Parenting Payment.

Special Benefit Payment

If you're in financial hardship and can't get any other type of income support, Centrelink may be able to give you a payment called Special Benefit.

Disability Support Pension

If you're 16 or over and have a medical condition that is serious and stops you from working or studying, Centrelink may be able to give you the Disability Support Pension. Ask Centrelink how to apply. You will need a report from your doctor and you may also need to see a doctor from Centrelink.

You must tell Centrelink when things change

Every time your circumstances change, tell Centrelink. This is important. Changes, like getting extra income, may affect how Centrelink pays you and how much they pay you. There can be problems if you don't tell them. Sometimes years later, you can be charged with criminal offences for failing to tell Centrelink about a change in your circumstances that led to an overpayment.

If you're unsure whether the change will affect your Centrelink payments, get legal advice. See the 'useful contacts' section at the end of this booklet.

- **Check out:** www.humanservices.gov.au/customer/information centrelink-website?utm_id=7
  OR www.welfarerights.org.au/default.aspx

Finding Accommodation

Emergency accommodation

Sometimes a young person has to leave home in a hurry and staying with family or friends is not an option. There are a number of places you can go where you will be safe in the short term. You can talk to your school counsellor and ask for help linking up with these services. You can also go into your local Centrelink office and ask to speak to a social worker urgently. There are also services that will help you get medium to long term accommodation.

Renting

Many young people can't afford to buy property. The basic idea of renting a property is that you pay money (rent) to live in someone else's house or unit. You need to be 16 years of age before you can formerly rent a property.

One way to start looking for a rental property is at a real estate agent. Real estate agents look after rental properties on behalf of the owner and they can show you around the house you are interested in. Other places which advertise rental accommodation include university websites, the classified section of the newspaper and on the internet.

Signing a lease and other paperwork

Real estate agents usually ask you to provide certain information to them before they allow you to rent a property. Usually they need some proof that you can afford to pay the rent. You may need to provide your pay slips, bank statements or Centrelink details. A real estate agent will ask you to sign a lease. A lease is an agreement in which you agree to pay rent for a particular property over a certain period of time. The lease document will contain details about the price of rent, the amount of security deposit money required, the period of the lease and other additional terms.

In the Northern Territory, a legally binding agreement to lease property can exist even where there is no written agreement. It is better to have a written lease, as it helps to prove the details of the agreement between the tenant and landlord if there is a problem.

A landlord can't demand more from a tenant than what they are allowed to under the *Residential Tenancies Act (2008)*.

It's a good idea to get advice about a lease agreement before you sign.

Condition Report

When you start renting property your landlord or real estate agent should provide you with an ingoing condition report. The report describes the condition of the property you are renting at the start of the tenancy to compare against with an outgoing condition report at the end of the tenancy. You need to indicate on the report if you agree with their description of the house and its contents and return it to the landlord or real estate agent within 5 business days of receiving it. If you don't agree then you need to mention this on the condition report. Be specific, take photos and date them and return them with the report. Keep copies of all your tenancy documents in a safe place. If you don't complete the condition report at the start of the tenancy you may be blamed for damage that you didn't do and you might have money withheld from your security deposit at the end of the tenancy. You might even be ordered to pay more money by the Commissioner of Tenancies or Court than that is in your security deposit.

Security Deposit

Before renting a property, you will need to pay a security deposit (bond). This money may be used to pay for any damages caused by tenant negligence to the property that you have not fixed during your tenancy. The bond is usually equivalent to four week's rent. In the Northern Territory, the security deposit is held by the landlord/agent and not by a bond board. There are special rules about how the landlord should hold this bond money in trust for their tenants.

Shared Accommodation

Shared accommodation is an arrangement where a number of people rent one house or unit together. Shared accommodation can sometimes be a cheaper way to rent a property because most of the living expenses are shared.

However, shared accommodation can sometimes lead to other very complicated problems for tenants. It's best to get advice about how to avoid them from a legal service before you move into a property with other people.

Looking for Work

Depending on the kind of work you are looking for, local shopping centres, newsagents and restaurants can be a good place to start looking. These places usually advertise part time and casual jobs.

What types of work can I do?

If you are under the age of fifteen you will not be allowed to do work that may be harmful to your physical and mental wellbeing. This generally means you are able to do light work such as office work, gardening, delivering newspapers or pamphlets, family related chores, and sales work in a shop. People under the age of eighteen are not permitted to sell alcohol.

Full Time Work

If you are under the age of fifteen, you are not permitted to work during school hours. Additionally, you will not be allowed to work at anytime if it is detrimental to school attendance or performance. If there are special circumstances it is possible to seek an exemption from the Minister.

Getting Paid

It's illegal for you to be paid less than the minimum wage. The minimum wage for different jobs and workers is set by the *Australian Fair Pay Commission (AFPC.)*

To find out how much you should be getting paid:

- **Check out** www.fwa.gov.au
- Contact **Fair Work Australia** on **1300 799 675**

Employment Contracts

After being offered a job, some people are asked to sign an employment contract. The contract usually sets out your pay rate and working conditions. Once signed, the document is legally binding. You should never sign an employment contract if you don't understand or agree with what it says.

Superannuation

Superannuation is money that your employer must pay to you for your retirement. The money is paid into a special account called a superannuation

fund which you can only access once you have retired or in other special circumstances. Superannuation payment is an additional benefit on top of your wage or salary. If you are a casual employee you will usually only receive superannuation payments if you earn more than $450 a month or work more than 30 hours a week.

Tax

Each financial year (from 1 July to 30 June) everyone who earns a wage or salary must pay income tax. The amount of income tax you are required to pay depends on how much you earn and whether you receive other benefits such as Centrelink payments.

Group Certificate

A group certificate is a form which tells you how much you have been paid over the financial year. It is the responsibility of each employer to give out their employees' groups certificates.

Tax File Number

In order to declare income tax you will need a tax file number (TFN). You will also need a TFN to open a bank account, enter university and receive Centrelink payments. It is not difficult to get a TFN all you need to do is fill out an application form which is available from local newsagents or apply online. For more information on tax issues contact the Australian Taxation Office.

Bank Accounts

It is possible to open a bank account at any age. You will need some form of identification such as a birth certificate or passport to open up an account. Most banks have student accounts which don't change account keeping fees.

Obtaining Identification and Other Important Documents

Changing Your Name

To change your name you must be eighteen years old and have lived in the Northern Territory for more than three months. You must also complete the application form which can be downloaded from the Northern Territory's Department of Justice web site. As part of this application you will need to advertise your name change in the newspaper, provide identification and pay the application fee.

Obtaining Your Birth Certificate

To get a copy of your birth certificate you need to complete the application form which can be downloaded from the Northern Territory's Department of Justice web site. As part of this application you will need to provide identification and pay the application fee.

Getting a Passport

If you are over eighteen years old and an Australian citizen, you can apply for an Australian passport. If you are under eighteen your parents can apply for a passport on your behalf. When applying for a passport you will need to complete the application form which is available on the Department of Foreign Affairs and Trade website. The application process includes providing identification, paying the application fee and attending a passport interview at an Australia Post Outlet.

Voting in an Election

It is compulsory to vote in federal, state and local elections once you have turned eighteen years old. If you fail to vote in these elections you will incur a fine.

In order to register on the electoral roll you must fill out an enrolment form which is available at most Centrelink or Australia Post outlets. It can also be downloaded from the Australian Electoral Commission website.

Making a Will

If you are over eighteen you can make a will. This is a document in which you state who your belongings will go to after you die. Your will is only valid if you and two witnesses sign it.

A person who is under 18 years of age may make a will in very limited circumstances:

- If they are married; or
- If they make their will 'in contemplation of marriage' but the will is of no effect if the marriage contemplated does not take effect

In the above two special circumstances a person under 18 may also change or revoke their will.

Body Art, Alcohol, Gambling, Drugs & Driving

Tattoos

In the Northern Territory there are no laws about what age you need to be to legally get a tattoo however there is an industry standard that reputable practitioners adhere to, which is 18. If you are younger than 18 you may need your parent's consent.

A tattoo is permanent and therefore you should consider your decision very carefully. You should also consider the risks involved. For example, there is a risk that you could contract an infectious disease such as Hepatitis C if the tools being used have not been cleaned properly. It is important to make sure that the place where you are getting the tattoo is safe, hygienic, and complies with the health regulations.

Body Piercing

In the Northern Territory there are no laws about what age you need to be to have your body pierced however there is an industry standard that reputable practitioners adhere to. Generally the minimum age for breast/genital piercing is 18, naval piercing is 15 and any other piercing is 13 (however ears can be pierced if a person is under 13 with parental consent). It is important to make sure that the place where you are getting your piercing done is safe, hygienic, and complies with the health regulations.

Buying Cigarettes

You must be at least eighteen years old before you can legally buy cigarettes. A person selling cigarettes is allowed to ask you for proof of your age. They are also allowed to confiscate your identification if they suspect that it is false.

It is an offence to use false identification or another person's identification to buy cigarettes. It is an offence for a person over eighteen years old to buy cigarettes for someone underage.

Gambling

You must be at least eighteen years of age to be able to gamble in the Northern Territory.

Persons under eighteen are allowed to attend TAB Agency premises or any other venue that does not have a liquor licence but cannot engage in gambling.

There are some premises where gaming machines or TAB facilities are within the premises where minors may attend, but must not enter the specified gaming areas. The individual licensed premises Liquor Licence sets out the rules for their particular premises.

Drinking and Buying Alcohol

You must be at least eighteen years old to buy alcohol in the Northern Territory.

In a private place

When you are under eighteen years old only a 'responsible adult' can let you drink in a private place like your home. The law says a 'responsible adult' is an adult who is a parent, step parent or guardian of a child or otherwise an adult who has parental rights and responsibilities for a child.

The 'responsible adult' also has to be the person who supplies you with the alcohol and needs to supervise you while drinking to protect you from harm. The law takes the following factors into account when considering whether there is reasonable supervision of a child who is drinking: whether either the supervising adult or the child is drunk, the age of the child, whether the child is also eating while drinking, how much the child is drinking and how fast.

Community welfare authorities may intervene into family situations if a child is in danger.

In a public place

If you are under 18 years of age you are not allowed to drink alcohol in a public place. Public places include: beaches, parks, shopping centres, buses and car parks.

Keeping people safe

If you are going to drink, even if you are old enough to drink unsupervised, then it's important that you put in place some strategies to keep you safe:

- Never drink on an empty stomach – have something to eat before and while drinking (watch those salty thirst inducing snacks)
- Plan for a non-drinker to be with your group who can drive and keep an eye on you

- Set a limit on how many drinks you will have at the beginning of the night and stick to that limit
- Don't try to keep up with others in your group by drinking more. Everyone has different levels of tolerance for alcohol
- Alternate water with every alcoholic beverage. This will help you to stay hydrated and more in control
- Avoid spirits, shots and rounds of drinks
- Prepare or buy your own drink and then watch it. Never pick up a drink that has been left unattended
- Never leave a place drunk on your own or leave a mate who is drunk by themselves
- If you or a mate has had too much to drink and things are going wrong then you can call 000 for assistance. 'Keeping people safe' especially young people is a top priority for the Northern Territory Police
- If you are wanting to talk with someone about alcohol and other drug issues, you can call the Alcohol and Drug Information Service (ADIS) telephone hotline: 1800 131 350

Drugs

Drugs are usually categorised into two groups.

Drugs (medication) prescribed by a doctor.

These drugs are considered legal. It is illegal however to give or sell your prescription drugs to other people.

Illicit drugs

These drugs are illegal and include drugs such as cannabis, speed, ecstasy and heroin. It is a crime to have, take or supply illegal drugs. The law views drug offences very seriously and heavy penalties may be imposed.

Drug Offences include:

- **Administering** Using illicit drugs eg smoking and injecting
- **Possessing** Having drugs at your house, in your car or on your body (eg: in your pockets)
- **Cultivating** Growing a drug eg growing a marijuana plant
- **Manufacture & Production** Making or mixing drugs. Helping others to make drugs
- **Supply** Selling or dealing drugs to other people This includes giving drugs to your friends for free

If you have committed a drug offence it is likely you will be charged with a criminal offence. This could mean going through Youth Diversion or going to the Youth Justice Court.

Where do I get help for drug and alcohol problem?

See 'Useful Contacts' in the back of this guide book.

Driving and Cars

Getting learner driving permit

To get a learner permit in the Northern Territory you must:

- Be at least sixteen years old
- Ask your parents to sign a consent form agreeing for you to apply for a learner permit (if you are under 17). This can be downloaded on the internet at: **www.transport.nt.gov.au/__data/assets/pdf_file/0006/19734/ibl01.pdf**
- Complete the Application Form
- Pass the Motor Vehicle Registry Theory Test
- Pass an eyesight test

Getting a provisional driving permit

To get a provisional permit in the Northern Territory you must;

- Have held a learner licence for six consecutive months
- Pass the practical driving test which is conducted at Motor Vehicle Registry Offices and Police Outstations
- Pay the driving test fee
- Provide a vehicle in which to do your test. The vehicle must be registered, roadworthy, clean and have an "L" plate displayed at the front and rear of the vehicle

Registering a car

All vehicles (motor vehicles, trailers and motorbikes) travelling on Northern Territory roads must be registered, roadworthy, and carry compulsory third party insurance. If you are planning to buy a vehicle in the Northern Territory it is your responsibility to transfer that vehicle's ownership and registration into your name.

To transfer a vehicle into your name you will need to complete the application form which is available on the Motor Vehicle Registry website.

Relationships & Sexual Health

Sex

Any person who engages in sex or indecent dealings (hooking up, sexual activity, sexual touching) with a person who is under 16 years of age in the NT is breaking the law and could be charged with a criminal offence. This continues to be the case where an under 16 year old agrees to the sexual activity or where all participants are under 16.

Once you are 16 the law says that you can decide to engage in sexual activity with any other person as long as the other person is also over 16, agrees to it, and the other person is not someone who has a relationship of special care over you (a teacher, step-parent, guardian, foster parent, sports coach, doctor etc). Furthermore, sexual activity is not ok in law where it harms you or exploits you, especially when you are less than 18 years of age.

If you're thinking about having sex you might want to get advice from someone you can trust. You can also talk to your doctor or family planning clinic about contraception and protection from sexually transmissible infections. If you're not sure about your feelings or feel uncomfortable about how someone is treating you, you can talk to someone you trust or to a counsellor.

Homosexual and heterosexual sex

The law is the same for heterosexual sex (sex between a male and a female) and homosexual sex (sex between two people of the same sex).

Buying Condoms

Anyone of any age can buy condoms. Condoms can be bought from most supermarkets, pharmacies and service stations.

Contraception

If you are under eighteen you may be able to get contraception such as the pill. You can only get the pill if a doctor prescribes it to you. Usually doctors will prescribe you the pill if you are mature enough to understand what you are doing and how to use the contraception. Be aware that the medical practitioner may still need to make a mandatory report to the Department of Children and Families if you are under 16 or if you are under 18 and there is reason to believe that you are at risk of harm.

Marriage

You can get married without your parents' permission once you turn eighteen. If you are sixteen or seventeen and you want to get married, you need the consent of your parents or guardians. You will also need to get permission from a judge or magistrate. The Court may decide that your parents' consent is not needed for you to go ahead with the marriage.

The Court will only give a sixteen or seventeen year old permission to marry in exceptional and unusual circumstances. Usually the court will consider how mature you are, whether you have enough money to support yourself and how long you have been in the relationship for. A court will not always consider pregnancy as a reason to approve the marriage of a couple under the age of eighteen.

Pregnancy

If you are pregnant and unsure about what to do, there are many agencies, counsellors and doctors who can help you assess the situation. It's a good idea to talk to someone you can trust about what options are open to you.

Abortion

An abortion is a process by which a pregnancy is terminated (stopped.)

If you are considering having an abortion you should get advice from a doctor as early as possible in your pregnancy.

- **Before fourteen weeks of pregnancy**

  In the Northern Territory, it is legal to have an abortion until you are fourteen weeks pregnant. The abortion must be performed by a gynaecologist or obstetrician. You can only have an abortion before fourteen weeks of pregnancy if:

  - having the baby would lead to a serious danger to your physical or mental health and would be more harmful than having an abortion;
  - OR the child is likely to be seriously handicapped

- **Between fourteen and twenty three weeks of pregnancy**

  It is legal to have an abortion until you are twenty three weeks pregnant. It must be performed by a gynaecologist or obstetrician AND the abortion must be necessary to prevent "grave" injury to your physical or mental health

- **At any time**

  It is also legal to have an abortion at any time if it is performed by a gynaecologist or obstetrician and it is necessary in order to save your life. You can get an abortion without your parents' consent if you are sixteen years and over. If you are under sixteen, you will need your parents' consent to get an abortion

Having the child

It is very important for your health and the health of the baby that you have regular medical check ups throughout your pregnancy. Most of what you discuss with your doctor remains confidential.

Financial support for young mums is sometimes available through Centrelink.

Adoption

Adoption is the process by which a child stops being a member of the birth family and becomes, legally and permanently, a member of a new family. If you decide to adopt your child out you will lose all parental rights and responsibilities over the child. These rights are given to the new family. Usually, both parents of the baby must consent to the adoption of their child. The parents are not usually able to consent until the baby is one month old and they have received counselling about the adoption. There is then a period of one month during which they may change their mind.

In the Northern Territory, it is illegal to make private arrangements for the adoption of a child. Adoptions have to be arranged through licensed adoption agencies or the NT Families & Children Adoption Unit.

For the father

Regardless of your age, you are legally responsible for financially supporting the child until it is 18 years of age. If you can't do this because you are still at school and have no income you may have to pay later when you can afford to do so.

Sexual Assault

It is illegal for someone to touch you sexually when you don't agree to it. If you believe that you have been sexually assaulted you should speak to someone that you trust. You should also notify the police. There are centres and groups such as the Ruby Gaea Centre that provide counseling and support for victims of sexual assault.

Sexting

Sexting is where nude, semi nude or sexual images are sent received and forwarded via electronic devices. This is usually done using mobile phones or the internet.

In the NT you can be charged with a criminal offence if you make, send out or have in your possession images of someone under 18 (including yourself) involved in a sexual activity or posing or acting in a sexual way. The images can be digital or print, it doesn't matter. This is called child abuse material or child pornography.

Important things to know about Sexting

It's very easy for your private images to spread really quickly. Even if you completely trust your boyfriend or girlfriend not to share your private photo accidents can happen, or someone may get access to the phone or device that the image is on (think younger siblings, friends and technical support). Before you know it, a photo just meant for one person could end up everywhere.

If you receive a sext:

- Delete the image immediately
- Never forward on to other people (this is the distribution of child abuse material/pornography)
- Tell the sender not to send you any further images like that
- If you keep receiving those images, keep deleting them and consider talking to a trusted adult about the problem

If sexual images of you are being sent around without your consent you might consider taking the following actions:

- If on a social networking site or other website – contact the website administrator or security section and ask them to remove
- You can report the problem to Police and they should investigate
- Talk to a trusted adult about the problem. If you are too embarrassed to speak to someone you know consider calling the Kids Helpline
- Depending on who is sending the images you might be able to apply for a Domestic Violence Order or a Personal Violence Order
- Get legal advice about this

➤ **Check out:** www.thinkuknow.org.au/kids

Domestic Violence Orders

Domestic Violence Orders are legal restraining orders made by the Police or the Magistrates Court to protect a person from domestic violence in the future.

Domestic violence includes physical violence, verbal abuse, pressure to have sex against your will, control or threats about money and finances, stalking, unwanted contact (such as unwanted visits, phone calls or texts), property damage, intimidation, harassment, and threats against you, your property or your pets.

A DVO can only be made where there is or has been a domestic relationship between you and the other person. You can ask for a DVO against a parent or guardian, family member, including Aboriginal family relative, de-facto partner, boyfriend or girlfriend, a person you have dated, a person you live with or used to live with, someone in a family relationship with a person you have lived with (for example, the sister of your housemate), or someone that has cared for you or who you have cared for.

If you don't have a domestic relationship with the other person, you can apply for a Personal Violence Restraining Order (PVRO) instead.

There are many types of DVO's. For example, the DVO might say that the defendant must not contact or approach you. This includes through text messages, email, letters, social media (e.g. Facebook), or through family members. Others stop the defendant from doing certain things around you like drinking alcohol. Some say the defendant can't hurt you or verbally abuse you but can still stay around you as long as they are not disobeying the terms of their DVO.

If someone that you are in a domestic relationship with has been violent with you, you can get help to apply for a DVO. The Police may be able to assist you with this or you can get advice from a lawyer about your options. If you are less than 14 years of age an adult or a Police Officer will have to apply for a DVO for you on your behalf.

If you are between 15 and 18 then you might be able to apply for a DVO as a young person on your own behalf. The court will only allow a young person to apply for a DVO on their own behalf if the court is satisfied the young person understands what the order means, why they are applying for it and its effect. There are special application forms to fill out for this type of application. Before you lodge an application you can get free legal advice about this.

If Police have made an order against you or someone has applied to the Court for an order against you, you can get free legal advice on what it all means and what your rights and options are. Don't ignore Court dates.

All adults in the Northern Territory are required by law to report domestic and family violence to the Police if they believe someone has or is likely to suffer serious physical harm from domestic or family violence and/or someone is under serious or imminent threat because domestic/family violence has been, is being or is about to be committed.

- **Check out:** www.childrenandfamilies.nt.gov.au/Domestic_and_Family_Violence/Publications/index.aspx
- **Domestic Violence Legal Service** (Darwin): **1800 019 343**
- **Central Australian Women's Legal Service** (Alice Springs): **1800 684 055**

Health

Choosing a Doctor

You have the right to choose you own doctor. In most cases your doctor must keep the things you talk about confidential.

Consenting to or refusing medical treatment

Except for immediate, life-threatening emergencies, a doctor must ask for you consent before undertaking any medical treatment on you. For minor treatment such as colds and acne, you have the right to consent or refuse. For more complicated treatment like abortions and contraceptive advice you still have the right to consent or refuse the treatment however you will only be allowed to consent to this type of treatment if the doctor believes that you understand all the consequences involved. For complex treatment such as eating disorders, you may not have the right to refuse such treatment even if you fully understand what the consequences are.

Medicare cards

If you are going to visit the doctor you will need to think about how you will pay. Some doctors bulk bill under the government health system. This means that you will not have to pay to visit the doctor. You can only be bulk billed if you have a Medicare card. If you are over fifteen you can apply for your own Medicare card. If you are under fifteen you are included on your parents' Medicare card. In order to get a Medicare card you will need to complete an enrolment form. This is available on the Medicare website and at Medicare offices around Australia. As part of the application you will need to provide original or certified copies of documents such as your birth certificate or passport.

Donating Blood

In the NT, if you are between 16 – 70 years of age then you may be eligible to donate blood. This also depends on a range of factors including your health, weight and recent overseas travel.

- **Check out:** www.donateblood.com.au/who-can-give/am-i-eligible

Organ Donation

If you are 16 years or above you can register your decision to be an organ donor after death on the Australian Organ Donor Register. Registration is voluntary. Families still need to be asked to consent to the donation at the time the decisions are being made about the donation. If they don't consent your organs wont be donated. It might be good to sensitively speak to your family about your decision so that they understand your reasons if they are ever placed in this position.

- **Check out:** www.humanservices.gov.au/customer/services/medicare australian-organ-donor-register

Police & Authority

Speaking to Police

When dealing with the police or security guards, it is important to stay calm and polite. Don't resist, be abusive or violent, it will only make your situation worse. However you should be firm about your rights. If you are unhappy with the way in which you are being treated by the police you can make a complaint.

If you are approached by police, you do not have to answer any questions or sign any documents. However you must give them your correct name and address if they ask you. There is no such thing as "off the record" and anything you say to police may be used against you later on. It is usually best to tell the police that you wish to remain silent. If you have been arrested or charged you should get legal advice before speaking the police.

There are some circumstances in which you must answer police questioning including:

- When a motor vehicle accident or traffic offence has occurred,
- If you are in a pub or on licensed premises, the police can ask you your name, address and date of birth and ask you to show evidence of your age.
- A customs officer can ask you questions about the import or export of drugs.

What if I am arrested?

If you are arrested, the police must tell you why. If they don't you should ask. Remember, you don't have to tell the police anything except your name and address. Even if you think the police have no right to arrest you, it is best to go with them quietly. Swearing and carrying on will only make your situation worse. Once you get to the police station you should ask for a lawyer. It is best not to say anything until you have spoken to a lawyer.

When can I be arrested?

The police can arrest you at any time if they believe you:

- Have broken the law; or
- Are about to break the law; or
- Are in the process of breaking the law.

The police can also pick you up you if you are drunk in a public place. This is not an offence so you won't be charged and you won't have to go to court. However if the police pick you up you for being drunk you can be held in a cell until they believe you are sober enough to leave.

What if I'm under eighteen?

If you are under eighteen the police can't normally interview you without an adult present. If the offence is punishable by less than 12 months or for certain traffic matters then police may interview you on your own. You get to choose which adult you want to sit with you, not the police. This adult can be a friend, relative, youth worker, welfare officer or lawyer. If the police can't find the person you have asked for, they can contact someone from a List of Appropriate Persons.

How long will they keep me at the station?

How long you stay at the police station will depend on the situation. Usually the police will only keep you in custody for a reasonable amount of time. That is, long enough to fingerprint, interview and photograph you. If the police need to investigate the crime more, they can hold you longer. If it will take a day or more to investigate, you will either be released on bail or kept in custody.

Fingerprinting & photographs

The police can only take your fingerprints and photograph if:

- You are suspected by a police officer, on reasonable grounds, of having committed a crime
- You are in lawful custody in respect of an offence
- You are charged with an offence
- You have been summoned to appear in proceedings for an offence
- An authorised officer has consented to proceedings in respect of an offence being brought against you by summons
- You or your parent/guardian both consent in writing to the procedure
- Present with you is a support person (adult) of your choice (e.g. your parent, guardian friend or lawyer).

If police believe you are over 14 they can conduct these procedures without magistrate approval. If you are under 14 years of age the police first need to get permission from a Magistrate.

The requirement of a support person being present applies equally to those over 14 and those under 14.

Being searched by the police

You cannot be searched by a police officer unless you have a support person present. You may be searched without a support person if the officer believes that it is a matter of urgency or that the arrival of the support person may cause a loss or destruction of evidence. You should only be searched by an officer of the same sex.

There are three types of personal searches:

- **Pat down search**
  This is when police use their hands to feel over the outside of your clothes. They may also ask you to empty your pockets. These searches are usually undertaken both in public and in private.
- **Strip searches**
  This is when the police remove and search all your clothing. These searches must be done in private and your support person should generally be with you during this procedure.
- **Internal Body Searches**
  Only doctors are qualified to undertake these types of searches. The doctor must be the same sex as you.

Forensic procedures

A forensic procedure is a physical examination. Sometimes this includes taking intimate body samples such as blood, pubic hair, genital swabs or mouth and dental impressions. Only a qualified doctor or dentist may carry out these procedures. You do not have to answer any questions that the doctor or dentist may ask you. If you refuse to undertake this procedure the police are entitled to ask a Magistrate for permission to undertake the procedure.

Non Intimate procedures

Police officers may take non intimate body samples from you such as hair and external body swabs. A senior police officer and/ or a Magistrate must give approval for these sorts of samples to be taken. If you are under 14 years only a Magistrate can give approval.

What if I don't want to stay at the police station?

The police can release you 'on bail' after you have been charged. To get bail is to promise that you will go home and not get into any more trouble and that you will go to court on the day that they tell you to. If you want bail and the police decide to give it to you, you will have to sign the bail papers and agree to any conditions that the police attach to your bail. If you are under eighteen and you get bail, the police have to take you home to your parents. You will have to go to court on the day stated on your bail form. If your bail conditions are really restrictive or you think they are too harsh you should go and talk to a lawyer as soon as possible.

What if they won't give me bail?

If the police refuse to grant you bail you will be taken to court to make an application for bail. A lawyer will be there to help you. If it is after hours, the police will arrange a call to a Magistrate and you can ask for bail. If the Magistrate refuses you bail, you will be remanded in detention. This means that you will get sent to a detention centre until your court date. You can ask for bail again, usually if your circumstances have changed.

Complaining about police mistreatment

If you are mistreated by the police you have the right to complain to the Police Complaints Division within NT Police or the Ombudsman. Get legal advice about this as soon as possible, as short time limits may apply.

Appointed Public Housing Safety Officers

Appointed Public Housing Safety Officers (PHSO) are police officers or special officers appointed by Territory Housing to patrol and address complaints of anti-social behaviour in public housing such as excessive noise, annoyance, vandalism, harassment of neighbours, violence and other inappropriate behaviour. An appointed PHSO cannot exercise any of their powers unless they have an NT Government identity card that says they are a PHSO and they are on public housing premises.

Public Housing Safety Officers may:

- Enter gardens of common areas to carry out their duties
- Request people on public housing to provide their name, address and if relevant, their age

- Direct individuals to stop anti-social behaviour or conduct
- Direct non-residents to leave Territory Housing premises
- Ban people from public housing for up to 12 months
- Tip out alcohol
- Seize dangerous items (receipts must be provided)

Appointed Public Housing Safety Officers may not:

- Arrest or detain a person (but they may call police)
- Enter inside a premises without the consent of the tenant and must leave if the tenant requests they go away
- Attend if the incident involves an act of criminality – this is for the police to deal with

Decisions of PHSO's are appealable but there is a 28 day time limit in place. Contact Territory Housing Complaints and Appeals Unit on 1300 301 167.

Transit Security Officers

What are transit security officers and what are their powers?

Transit Security Officers patrol buses and bus interchanges looking for any suspicious articles, activities or persons. Transit Security Officers are employed to identify and deal with unlawful activity in and around Transport facilities such as smoking, using drugs or alcohol and inappropriate behaviour. Transit Security Officers have the power to remove people from a bus or bus station and to arrest people for certain offences, such as criminal damage and assault. Transit security Officers can only exercise their powers on a bus or in the area of a bus station.

Transit Security Officers may;

- Ask for your name, address and date of birth if they believe that you may have committed an offence
- Direct a person to comply with rules of behaviour
- Use reasonable force if you do not get off a bus or keep away from the bus station when they ask you to
- Arrest and detain if they believe on reasonable grounds that you have committed an "offence warranting arrest"
- Search and seize dangerous articles

Useful Contacts

Legal Advice

There are many free legal services for people to access throughout the Northern Territory.

NT Legal Aid Commission

Provides legal services relating to criminal, family and civil matters in the Northern Territory as well as a Legal Helpline which people can call for information and referral about any legal matter. Also provides a range of written information publications and community legal education programs about the law.

FREE CALL Legal Aid Helpline: 1800 019 343

Website: www.ntlac.nt.gov.au
Email: info@ntlac.nt.gov.au
Facebook: www.facebook.com/NTLAC
YouTube: www.youtube.com/NtLegalAid

Darwin Office
6th Floor
9-11 Cavenagh Street
Darwin NT 0800
FREE CALL: 1800 019 343

Palmerston Office
Shop 6
25 Chung Wah Terrace
Palmerston NT 0830
FREE CALL: 1800 019 343

Katherine Office
20 Second Street
Katherine NT 0850
FREE CALL: 1800 019 343

Tennant Creek Office
Shop 3/163 Paterson Street
Tennant Creek NT 0860
FREE CALL: 1800 019 343

Alice Springs Office
77 Hartley Street
Alice Springs NT 0870
FREE CALL: 1800 019 343

Central Australian Aboriginal Family Legal Unit (CAAFLU)

A justice, advisory and referral centre for Indigenous victims of family violence.

Alice Springs Office
85 Hartley Street
Alice Springs NT 0870
Phone: (08) 8953 6355
FREE CALL 1800 088 884

Tennant Creek Office
Unit 2/172 Paterson Street
Tennant Creek NT 0860
Phone: (08) 8962 2100
FREE CALL 1800 068 830

Central Australian Aboriginal Legal Aid Service Inc (CAALAS)

Provides legal services relating to civil, criminal, family, welfare rights, Indigenous advocacy, and community legal education matters for Indigenous people.

Alice Springs Office
55 Bath Street
Alice Springs NT 0870
Phone: (08) 8950 9300
FREE CALL 1800 636 079

Tennant Creek Office
68 Patterson Street
Tennant Creek NT 0860
Phone: (08) 8962 1332
FREE CALL 1800 636 079

Central Australian Women's Legal Service (CAWLS)

A free and confidential legal service for all women in Central Australia.

Shop 6, Bonnani Arcade,
2 Gregory Terrace
Alice Springs NT 0870

Phone: (08) 8952 4055
FREE CALL 1800 684 055

Darwin Community Legal Service (DCLS)

Provides legal services in the areas of tenancy, disability discrimination, general civil and aged rights advocacy. Also provide community legal education services.

Cnr Manton St & Woods St
Darwin NT 0801

Phone: (08) 8982 1111
Email: info@dcls.org.au
FREECALL 1800 812 953

Domestic Violence Legal Service Darwin (DVLS)

A free service for victims of violence, or people at risk of domestic violence.

1st Floor, Zone B, Nichols Place

Cnr Cavenagh & Bennett St
Darwin NT 0801

Phone: (08) 8999 7977
FREECALL 1800 019 343

Katherine Women's Information & Legal Service KWILS

Shop 5 Katherine Arcade,
off Katherine Terrace
Katherine NT 0850

Phone: (08) 8972 1712
FREECALL 1800 620 108

National Children's and Youth Law Centre

A free, independent community legal centre for children and young people and/or their advocates with emphasis on those most disadvantaged under the law.

Phone: (02) 9385 9588 **Website:** www.ncylc.org.au

North Australian Aboriginal Family Violence Legal Service (NAAFLVS)

A community based organisation that provides legal assistance and support to Aboriginal victims of family violence.

32 Dripstone Road, Casuarina 0810 **Phone:** (08) 8923 8200

North Australian Aboriginal Justice Agency (NAAJA)

Provides legal services relating to civil, criminal, welfare rights, NTER, Indigenous Prisoner Throughcare support, advocacy and community legal education matters for Indigenous people.

Darwin Office
61 Smith Street
Darwin NT 0800

Phone: (08) 8982 5100
FREECALL 1800 898 251

Katherine Office
32 Katherine Terrace
Katherine NT 0851

Phone: (08) 8972 1133
FREECALL 1800 897 728

Nhulunbuy Office
Franklyn Street
Nhulunbuy NT 0881

Phone: (08) 8987 1300
FREECALL 1800 022 823

Top End Women's Legal Service TEWLS

Free and confidential legal services for women in the Top End as well as community legal education.

Ground Floor, 2/5 Edmunds St
Darwin NT 0800

Phone: (08) 8982 3000
FREECALL 1800 234 441

Other Services & Contacts:

Alcohol and Drug Information Service NT
24 hours counselling, referral and information.

FREE CALL 1800 131 350 **Website:** www.counsellingonline.org.au

Alcohol and Other Drug Services
Phone: (08) 8922 8399

Alice Springs Youth Accommodation & Support Services (ASYASS)
ASYASS provides accommodation and support to young people aged 14 - 21 who are homeless or at risk of homelessness.

12 Undoolya Road, Alice Springs NT 0870 **Phone:** (08) 8953 4200

Anglicare NT Youth Housing Program – Darwin
Provides a range of services to homeless young people and those at risk of becoming homeless aged 15 – 19 in the Darwin area.

5 Nemarluk Drive, Ludmilla NT **Phone:** (08) 8985 0000

Anglicare NT Youth Housing Program – Palmerston & Rural
Provides a range of services to homeless young people and those at risk of becoming homeless aged 15–19 in the Palmerston and Rural area.

Shop G6 Satepak House
11 Palmerston Circuit, Palmerston NT **Phone:** (08) 8932 7850

Australian Electoral Commission
80 Mitchell Street, Darwin **Phone:** 132 326
Website: www.aec.gov.au/enrolling_to_vote/how_to_enrol/index.htm

Australian Organ Donor Register **FREECALL** 1800 777 203
Website: www.humanservices.gov.au/customer/services/medicare/australian-organ-donor-register

Australian Red Cross
Phone: 131 495
Website: www.donateblood.com.au/who-can-give/am-i-eligible

Australian Taxation Office
Darwin Office 24 Mitchell Street, Darwin **Phone:** 132 861

Alice Springs Office
Jock Nelson Centre 16 Hartley Street, Alice Springs **Phone:** 132 861

Banyan House
Provides alcohol and other drug rehabilitation services. Access to Banyan House is by referral from Alcohol and other Drug Services, Darwin

16 Benton Road, Berrimah NT **Helpline:** (08) 8942 7400

Births Deaths and Marriages
Application forms can be downloaded at:
www.nt.gov.au/justice/bdm/appforms.shtml

Darwin Office	Nichols Plc, Darwin	**Phone:** (08) 8999 6119
Alice Springs Office	Centrepoint Building, Corner Gregory & Hartley St	**Phone:** (08) 8951 5339
Tennant Creek Office	Tennant Creek Courthouse, Paterson St	**Phone:** (08) 8962 4377
Katherine Office	Katherine Courthouse First St, Katherine	**Phone:** (08) 8973 8956

Casy House
Crisis Youth Shelter **Phone:** (08) 8948 2044 **FREE CALL** 1800 799 226

Centrelink **General Information Line** **Phone:** 132 468

Clinic 34 Sexual Health Service
Darwin: 08 8999 2678 **Katherine:** 08 8973 9049 **Nhulunbuy:** 08 8987 0356

Council for Aboriginal Alcohol Program Services (CAAPS)

Operates a 21-day residential withdrawal program for people withdrawing from alcohol and other drugs.

60 Boulter Road, Berrimah **Phone:** (08) 8922 4800

Drug and Alcohol Intensive Support for Youth (DAISY)

17 Hidden Valley Road, Berrimah **Phone:** (08) 8944 2000

Department of Education and Training

PO Box 4821, Darwin NT 0801
Email: infocentre.det@nt.gov.au **Phone:** (08) 8999 5659

Department of Foreign Affairs and Trade - Passport Information Services

Website: www.passports.gov.au/web/newppt/index.aspx **Phone:** 131 232

Family Planning NT

Offers clients safe and confidential access to sexual and reproductive health services, education and information.

Darwin: (08) 8948 0144 **Katherine: (**08) 8971 3153
Alice Springs: (08) 8958 4544

Gap Youth Centre

Social, recreational activities to youth.
91 – 93 Gap Road, Alice Springs **Phone:** (08) 8952 3927

Headspace Top End & Central Australia

If you are between 12 and 25 and are having difficulties with something in your life headspace can help.

Top End Office:
Shop 15, Oasis Shopping Centre, Palmerston NT
Phone: (08) 8931 5999 **FREE CALL** 1800 659 388

Central Australia Office:
Shop 5, 5 Hartley St, Alice Springs NT 0870
Phone: (08) 8958 4544

Marie Stopes National Support Centre

Offers information and support about reproductive health care
FREE CALL 1800 003 707

Medicare

Phone: 132 011

Motor Vehicle Registry

Phone: 1300 654 628

Needle Syringe Program

Darwin: (08) 8944 7777 **Palmerston:** (08) 8931 3676
Katherine: (08) 8973 9049 **Alice Springs:** (08) 8953 3172
Nhulunbuy: (08) 8987 0357

NT Early Intervention Pilot Program

FREE CALL 1800 131 350

NT Magistrates Courts

Darwin
Nichols Place, Corner Cavengh & Bennett St, Darwin NT 0800
Phone: (08) 8999 6380

Katherine
First Street, PO Box 1694, Katherine NT 0851
Phone: (08) 8973 8956

Alice Springs Magistrates Court
Law Courts, Parsons Street PO Box 1394, Alice Springs NT 0871
Phone: (08) 8951 5698

Tennant Creek Court House
Paterson St, PO Box 84, Tennant Creek NT 0861
Phone: (08) 8962 4377

Nhulunbuy Court House
Endeavour Square PO Box 496, Nhulunbuy NT 0881
Phone: (08) 8987 1378

NT Police **Phone:** 131 444 **Emergency:** 000

Office of Children and Families

Child Protection Hotline **FREE CALL** 1800 700 250

Office of Children and Families

NT Adoption Unit **Phone:** (08) 8922 7460

Office of Youth Affairs NT

FREE CALL 1800 652 736

Ombudsman for the Northern Territory

12th Floor, NT House 22 Mitchell Street, Darwin

Phone: (08) 8999 1818 **FREE CALL** 1800 806 380

Pregnancy Counselling Australia

Phone: 1300 737 732

Relationship Help Line

FREE CALL 1800 200 526 (24 hours)

Ruby Gaea Darwin Centre Against Rape Inc

Phone: (08) 8945 0155

Sexual Assault Referral Service

Phone: (08) 8922 7156

The Salvation Army Drug and Alcohol Services

Provides accommodation and the support to people withdrawing from alcohol and other drugs. Access to this service is through the Alcohol and other Drug Service, Darwin and directly through the Salvation Army.

Lot 3054 Salonika Street, Stuart Park NT **Phone:** (08) 8981 4199