



WHAT ARE RIGHTS

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.

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.

You can see a copy of the Convention on the UNICEF website - www.unicef.org. 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?

Queensland Human Rights Commission www.qhrc.qld.gov.au	1300 130 670
Australian Human Rights Commission www.humanrights.gov.au	1300 369 711
Youth Advocacy Centre (YAC) www.yac.net.au	3356 1002
Hub Community Legal www.hubcommunity.org.au	3372 7677
YFS Legal (Logan Youth & Family Legal Service) www.yfs.org.au	3826 1500
Legal Aid Queensland www.legalaid.qld.gov.au	1300 651 188
Aboriginal & Torres Strait Islander Legal Service www.atsils.org.au	3025 3888 or (free call) 1800 012 255 (24hrs 7 days a week)

Translating & Interpreting Services (24hrs)..... 131 450
Kids Help Line..... 1800 551 800
Refugee and Immigration Legal Service www.rails.org.au 3846 9300
Community Legal Centres (CLCs) see www.naclc.org.au for your nearest CLC

This information was last reviewed and updated in January 2024. The Youth Advocacy Centre does not accept responsibility for any action or outcome as a result of anyone relying on the information provided.