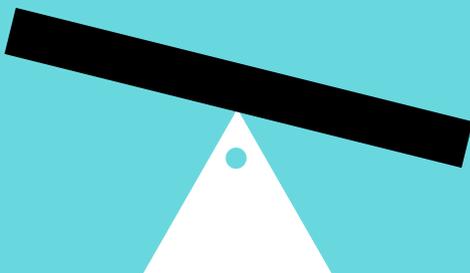


1. MY RIGHT TO BE TREATED EQUALLY, TO BE INCLUDED AND TO MAKE MY OWN DECISIONS

As a child or young person, you have a right to equal treatment. Depending on your age and some legal restrictions, you also have the right to take part in the life of your community, in employment, and to make independent choices about matters that concern you.

In this section we explain some of these rights. We also give a table showing some of the things you can do at different ages.



1.1 Equality

What is equality?

Equality is about recognising that everyone has the same worth and should be treated with dignity. Sometimes people are treated badly or unfairly because of negative attitudes and stereotypes like racism. This type of treatment goes against the idea of equality and is known as discrimination. You have the right to be protected from discrimination at school, when you buy or sell something, when you use a service such as the bus, attend a youth or sports group, or when you are in employment.

Discrimination usually happens when you are treated differently or less favourably than someone else in the same situation and the reason why that happened is related to:

- your gender: whether you identify yourself as a boy, a girl, or as transgender;
- your marital or civil status: whether you are married or in a civil partnership;
- your family status: whether you are pregnant, a parent of a child or the carer of someone with a disability;
- your sexual orientation: whether you are heterosexual (straight), gay, lesbian or bisexual;
- your religion, or lack of religious beliefs;
- your age (this generally only applies to those over 18 years);
- your disability;
- your race, ethnic background, nationality and colour;
- your membership of the Traveller community.

These personal characteristics are known as 'discrimination grounds'. You also have a right to be protected from harassment on these grounds. Harassment includes things like offensive comments and text messages or even physical things like pushing or hitting people.

What can I do if I feel I have been discriminated against?

You can contact the Irish Human Rights and Equality Commission (IHREC) for information and guidance (see page 71 for contact details). You should also look for support from your parent or guardian or from the support organisations listed at the end of this guide.

The IHREC may be able to help you to make a case to the Equality Tribunal. The Tribunal will issue a legally binding decision which will try to fix your situation. In some cases, you may get compensation. You also may be able to make a complaint to the Ombudsman for Children.

What should I do if I feel that I have been the victim of a hate crime?

You have a right to be protected against threatening, abusive and insulting words and behaviour either to your face or in publications, displays and materials. If you think you have been a victim of this type of treatment, you can contact the Gardaí and report it as a crime.

It is an offence for anyone to physically threaten you, harass you, assault you or cause you serious harm for any reason. It is also an offence for someone to damage or threaten to damage your property. Again, you can report this to the Gardaí.

1.2 Community participation

At what age can I vote?

You have the right to vote from the age of 18. If you are an Irish citizen, you can vote in all elections and referenda. If you live in Ireland, but are not an Irish citizen, you have the right to vote in some elections. To vote, you must make sure that your name is on the Electoral Register. You can get an application form to have your name placed on the Electoral Register (list of people who can vote) from all local authorities, post offices and public libraries or on www.checktheregister.ie. You must return your completed form to your local authority.

I'm under 18 – can I get involved in decision-making?

You can get involved in decision-making in your community. For example, Comhairle na nÓg are local youth councils that meet in every county. They give children and young people a chance to be involved in decision-making in matters that affect them. To find out how to get involved, see www.comhairlenanog.ie.

Every two years, each Comhairle na nÓg sends representatives to Dáil na nÓg, the national parliament for children aged 12 to 18 years. This is a great opportunity to bring your concerns to politicians and other decision-makers.

You can also join local child and youth organisations to get involved in activities and make a difference in your local community. See the list at the end of this guide.



Am I allowed to hang around in my neighbourhood?

You have a right to hang out in your community but – just like adults – you are expected to act within the law. Neighbours have the right to complain if they find your behaviour disruptive. If the Gardaí are called, they can ask you to move away. You have the right to be treated with respect and if you are treated badly by the Gardaí, you can make a complaint to the Garda Síochána Ombudsman Commission. See page 70 for more information.

Do I have a right to enter leisure facilities, shops and shopping centres?

You have an equal right to adults to enter shops, shopping centres, leisure facilities or any other public place. The owner or manager has the right to refuse to let you enter if they are concerned about your behaviour. However, they cannot refuse to let you in on the grounds of discrimination (these grounds are listed on page 9).

1.3 Making choices: substances Do I have a right to buy alcohol?

No. It is illegal for anyone under 18 to buy or to possess alcohol.

Do I have a right to buy cigarettes?

No. It is illegal for a shop to sell tobacco products to anyone under the age of 18, even if they are for someone else.

Do I have a right to take illegal drugs?

No. Neither adults nor children may take illegal drugs. See www.drugs.ie for information and support.

As well as it being against the law, drinking alcohol, smoking or taking illegal drugs can harm your health and place you in unsafe situations.

1.4 Making choices: sex What is the legal age at which I can consent to have sex?

Legally, you can consent to sex at 17. This is the same irrespective of your sexual orientation – whether you are heterosexual, gay, lesbian or bisexual. For more information on sexual health, turn to the chapter ‘My Right to Health’ on page 35.

1.5 Work

At what age can I work?

You can work part-time from the age of 14. You can work full-time from the age of 16. However, while you are under 18, there are limits to the amount of time you can work and the type of work you can do.

The rules are different if you work in your family’s business or if you work at sea. For more information about working under the age of 18, contact Citizens Information or the Workplace Relations Customer Services (see page 72 for details).

How many hours a week can I work?

At age 14 you can work outside the school term but not during it. You can work 35 hours a week during Christmas, Easter and summer school holidays and up to 40 hours a week if you are on approved work experience.

At 15 you can work 8 hours a week during the school term. You can work 35 hours a week during Christmas, Easter and summer school holidays and up to 40 hours a week if you are on approved work experience.

If you are 16 or 17, you can work up to 40 hours a week but you cannot work more than 8 hours each day.

Can I work in the evenings or at night?

If you are 14 or 15, you can only work between 8am and 8pm. You have the right to 14 hours off between shifts and two days off each week. Your two days off should be together where possible.

If you are 16 or 17, you can only work between 6am and 10pm. If you work in a pub or other licensed premises, you can work until 11pm if the next day is not a school day. You have the right to 12 hours off between shifts and two days off each week. Your two days off should be together where possible.

How much will I be paid if I work?

Under the age of 18 years, you are entitled to at least €6.06 an hour, but your employer can choose to pay you more.

Depending on the practice in your workplace, you may be allowed to keep tips or they may be shared among all staff. There is no law to say that you have the right to keep them or that you have to give them to your employer.

Will I have to pay tax?

Yes. Everyone has to pay tax. The amount you pay will depend on the amount you earn.

Does my employer have any responsibilities to me as a young person in work?

Yes. Your employer must act within the terms set out by the Protection of Young Persons (Employment) Act 1996. Your employer must give you a summary of your rights under this law as well as details of your terms of employment within one month of you starting the job. You are also entitled to a payslip.

Your employer must see a copy of your birth certificate or other proof of age before he or she employs you. If you are under 16, your employer must get your parent or guardian's permission in writing.

Can I claim unemployment payments?

No. You can start paying social insurance from the age of 16, but you cannot claim unemployment payments until you are 18 years of age.

Can I complain if I feel that my employer is not treating me fairly (within the law)?

Yes, you can complain confidentially to the Workplace Relations Customer Services. For more information and services available, please see the Workplace Relations website, www.workplacerelations.ie.

1.6 Taking part in the online community

At what age can I join a social networking site?

This depends on the networking site. Different networking sites have different minimum ages. For example, you need to be 13 to join Facebook.

What information should I post online?

Always be on your guard when communicating with anyone online. Any information you post on social media sites can remain in cyberspace forever. Be very careful about what private information you reveal (for instance, your age, real name or address). Do not add people as friends on social media sites unless you know them and never agree to meet face to face with anyone you have met online. Always tell an adult you trust if someone you met online is asking to meet with you.

How can I protect my identity and private information when online?

This depends on the internet site you are using and how you use it. If you are surfing the internet or using an online forum, your identity should stay anonymous. However, social media sites like Facebook that you sign up to or have to register for, are run on the basis that your identity is public.



To protect your identity, never use your full name when making up usernames for websites. Use the privacy settings on social media sites to restrict who can see your identity and the personal information that you put online. Also, be careful about what information you put online. It is almost impossible to remove information or photographs once they have been placed anywhere on the internet, even once.

If I am being bullied online, what should I do and who can I complain to?

The internet is a social space where people communicate, so bullying can take place on online forums and social media sites. It can also take place on mobile phones and because technology is everywhere, it can affect you anywhere, at any time, day or night.

If you feel that you are being bullied, there are a number of things you can do.

- It is important to **tell an adult** you feel you can trust such as a parent, teacher or guidance counsellor if you are being bullied. If there is nobody around, you can call Childline on 1800 66 66 66 to talk to someone supportive or Teenline on 1800 833 634. If the bullying is focusing on you being gay, lesbian, bisexual or transgender, you can contact a support organisation such as BeLonG To (see www.belongto.org).

- **Don't reply** to bullying texts, emails or abusive postings on social media websites. Replying can often make the situation worse.
- If possible, **keep a record** of the upsetting or hurtful messages (you don't have to read them). If they are text messages, save them. If they are online postings or messages, take a screen shot or email them on to an adult you trust.
- If the bullying is taking place over a mobile phone, **tell your mobile operator**, get a new sim card for your phone and keep your details private.
- If someone bullies you online, you can **use the privacy settings** to make sure the bully cannot see your information or write comments to you. On Facebook, you can use the privacy settings to add friends to a restricted list so that you can control the information they see. Facebook does not notify your friends when you move them to this list. Facebook also allows you to completely block other users so that they cannot see your information or interact with you at all.
- If someone leaves a hurtful comment, you can either **remove** it yourself or contact the site administrators and ask them to take it down immediately.
- Ask.fm is a popular site which allows both named and anonymous users to post content. Ask.fm lets you **turn off anonymous questions** in your privacy options if you don't wish to receive anonymous questions. This will help you to control some of the content you receive in your inbox. You can also report abuse by using the report button. If abuse has been reported, Ask.fm can supply identifying information to the police if necessary. See <http://ask.fm/about/safety> for more information.
- If the bullying is persistent or someone makes racist or inappropriate sexual comments to you online, you can **report** this to the Gardaí or to www.hotline.ie.
- If someone you know tells you that they are being bullied online, it is important to **tell an adult or someone you trust** so that the bullying can be dealt with.

Where can I get more information about using the internet safely and responsibly?

The Irish Internet Hotline has advice and information for parents, guardians and young people about internet use (www.hotline.ie). In addition, Webwise (www.webwise.ie), the Irish Internet Safety Awareness Centre, has tools and tips to help you use the internet safely. You will find more details of these at the end of this guide.

1.7 At what age can I do various things?

Summary	Activity	Minimum Age
Be recognised as a child	Be recognised and protected by law as a child	Under 18 (unless you are or have been married)
Get involved	Join Comhairle na nÓg or Dáil na nÓg	12
	Join a social networking site	13 for Facebook. Different networks have different minimum ages
	Vote	18
	Stand for local election	18
	Sit on a jury	18
Be independent	Change my name	Under 14, parents may do it on your behalf 14-18 with parental consent
	Leave home	16 with parental consent 18 without parental consent
	Have my own passport	No minimum age but parental consent needed until 18
	Sign a lease to rent accommodation	18
	Leave state care	18
	Get married	18 – in rare cases, you may be able to get a Court Exemption Order to allow you to get married if one or both of you are under 18
	Make a will	18 (unless you are or have been married)
Finish school	Join Youthreach	15
	Leave school	16 or until you have completed three years of secondary school
	Get an apprenticeship	16, if your parent or guardian agrees
Work	Get a part-time job	14 (you may only work during school holidays and for a limited number of hours each week)
	Get a full-time job	16

Make health decisions	Receive private medical advice from a doctor	16, but the doctor may tell your parent or guardian until you are 18
	Get medical treatment (other than mental health treatment) without your parents' or guardians' permission	16
	Get mental health treatment without your parents' or guardians' permission	18
	Refuse medical treatment without your parents' permission	18
	Give blood	18
Be sexually active	Consent to sex	17
Drive	Drive a motorcycle, moped or tractor	16
	Drive a car	17
Join the Army/Gardaí	Join the Reserve Defence Forces	17
	Join An Garda Síochána or the Permanent Defence Forces	18
Be responsible for a crime	Be arrested on suspicion of committing a crime and brought to court	12 (or 10 for serious crimes)
	Be sent to a Children's Detention School	10 to 17
	Be sent to prison	18 and over
Buy certain things	Own a dog	16
	Buy a lottery ticket or place a bet	18
	Buy cigarettes	18
	Buy alcohol	18
	Have a standard current bank account	18
	Be in a pub	Under 15 – only in the company of a parent or guardian and between 10.30am (12.30pm on a Sunday) and 9.00pm
		15 to 18 – between 10.30am (12.30pm on Sundays) and 9.00pm
Access my records	Access education and health records	18 (while under 18, your parents may access your records on your behalf)

For some things, there is no minimum age limit set out in law. These include:

- signing a petition,
- taking a taxi by yourself,
- getting a tattoo or body piercing,
- staying home alone, and
- babysitting.

Can my parents leave me at home alone?

The law does not state at what age your parents can leave you at home alone. It is up to your parents or guardian to decide. The amount of supervision you may need depends on:

- your age, maturity and ability to look after yourself;
- whether or not there are other adults nearby; and
- how often and for how long you are left alone.

Other laws or best practice guidelines apply in the case of young children and vulnerable young people. For example, a parent could be prosecuted for child neglect if they leave a young child at home alone or put a child into a situation which places their health or safety at risk.

Can I babysit at any age?

That's up to your parents or guardian to decide. You must be mature enough to meet the needs of small children and to respond in the right way if there is an unexpected incident at the house, a fire or a stranger calls to the door. In the UK, the National Society for the Prevention of Cruelty to Children (NSPCC) recommends that babysitters should be at least 16 years of age.

