

Alcohol, Drugs & the Law

For young people



What are drugs?

There are many definitions of the word 'drug', but it generally means any substance, solid, liquor or gas that brings about physical or psychological changes in the body.

Psychoactive drugs act on the brain, and can change the way a person thinks, feels or behaves.

Am I a minor?

Under the law, you are a minor if you are under 18 years of age. However, in Queensland, at 17 years of age you are an adult within the criminal justice system and will be dealt with in the adult court.

Most people...

Most people use some kind of legal drugs – alcohol, prescribed medications and caffeine are part of everyday life for some people. Unfortunately, illegal drugs like marijuana and 'speed' are part of life for some people too.

In Queensland, laws govern most drugs and the penalties for misusing drugs can be harsh. Use of both legal and illegal drugs can cause legal problems and breaking the law may have a greater effect than just a court appearance. It's bound to affect not only you but also your family and friends.

A drug record may affect your job chances or your chances of getting a visa for entry into some countries overseas.

Think about the drugs you use. Read this information carefully. You need to know where you stand!

And, always remember that it's OK to say no! Most teenagers don't drink, over half of teenagers (65%) have never had a full serve of alcohol and only 5% drink on a weekly basis. Most teenagers don't use drugs. Over 80% of teenagers have never used an illicit substance.

Alcohol and the law

Generally, if you are under 18 years of age, you are breaking the law if you:

- Are found on licensed premises.
- Are found drinking or in possession of alcohol on licensed premises or in a public place. It is even an offence to hold a drink for a parent or friend or help someone carry their alcohol down the road.
- Supply or give alcohol to another minor.
- Use someone else's ID to try to purchase alcohol or gain entry to licensed premises.
- Alter an ID (including changing the date of birth) or make a false ID.
- Fail to provide your name, address or age on request of an officer, or providing a false name, address or age.

Fake ID!?

It is illegal to use someone else's ID or to make a fake ID and if you are found doing so you could be subject to an on the spot fine or taken to court.

By law, a crowd controller, bouncer or bartender must confiscate your ID if they think it is a fake or does not belong to you.

If you are 18 or over, you are generally breaking the law if you:

- Supply alcohol to a minor in a licensed premise or public place.
- Supply alcohol to a minor in a private place, unless you are a responsible adult for that minor and responsibly supervising that minor's consumption of alcohol.
- Allow another person to use your ID to purchase alcohol, gain entrance to licensed premises or to obtain a proof of age card.

Who is a responsible adult for a minor?

A responsible adult for a minor is a parent, step-parent or guardian of a minor or an adult who has parental rights and responsibilities for the minor.

Illegal drugs and the law

- Possessing or supplying illegal drugs can lead to severe penalties.
- Supplying others with illegal drugs is a serious criminal offence.
- Possessing an implement that is used for smoking or taking illegal drugs is an offence.

The penalties associated with these offences can be harsh depending on the type of drug involved and the quantity recovered.

What's in that pill you're taking?

You never know what's in a pill! Even a test kit won't tell you everything that's in a pill, or how much, or how it will effect you... it's always a risk!

Samples of ecstasy pills, that have been laboratory tested, have been found to contain a variety of substances from glucose, caffeine and paracetamol to illegal and controlled drugs, including methamphetamines, veterinary tranquillisers, hallucinogens and prescription medications, such as those used to treat parasitic worms and male pattern baldness.

Even so called 'legal highs' have been found to contain substances that are illicit or potentially harmful.

The side effects of these drugs can be unpredictable and dangerous, particularly if used together with alcohol or other drugs.

Police can search you for illegal drugs if they have reasonable cause to suspect that you have some in your possession. The possession of illegal drugs is against the law.

You are also breaking the law if you....

- Drive or are in charge of a motor vehicle (e.g. car, motorbike) with an alcohol concentration over 0.00 (no alcohol limit) if you are on L plates, a provisional licence or a probationary licence.
- Drive or are in charge of a motor vehicle, on an open licence, with an alcohol concentration of 0.05 or above (general alcohol limit).
- Drive a motor vehicle whilst you are unlicensed.
- Sell or supply tobacco to someone less than 18 years of age.
- Drive or are in charge of a motor vehicle under the influence of illegal drugs.
- Possess, produce or supply illegal drugs (this includes growing cannabis).
- Possess an implement (e.g. bong, cannabis pipe, needle) used, or for use, with an illegal drug.
- Publish or have a copy of a recipe for the production of a dangerous drug.
- Give someone prescription drugs, other than as prescribed.
- Are being a public nuisance.

Frequently asked questions

I'm at a party at a friend's house. Can I be arrested for underage drinking?

No, but you need to be aware of how much you drink and how the alcohol may affect you. You should also keep in mind that, if you are found drinking, whoever has supplied you with alcohol may have committed an offence, and may be subject to significant penalties.

What happens to me if I'm at a party which is busted for illegal drugs that I haven't used?

You'll probably be questioned and your parents or guardian may be told. If you're not involved in any way, you're not in trouble with the police.

Remember, you don't need to drink to have fun. It's your decision and ok to say no to friends if they offer you alcohol and other drugs.

What will happen to me if I'm found drinking underage?

It depends on the circumstances, but your alcohol may be confiscated, your parents may be told and you may be issued with an on-the-spot fine or a notice to appear in court.

Can police take me home or to the police station?

Yes, police have the power to take you to the police station if you are under arrest. In certain circumstances police also have the power to take you home, or to the home of a relative or friend or a place of safety.

Do my parents have to be present when I'm spoken to by police?

If practicable, you should be allowed to speak to, and have present, a support person (e.g. your parent or guardian, a lawyer, or adult relative or friend) whilst you are being questioned by police.

What are move on directions?

The police have the power to give you a direction to move on or away from a public place for a number of reasons, i.e. if you are upsetting, threatening or intimidating people or disrupting an event or gathering. It is an offence to refuse to comply with a move on direction.



What will happen if I try to use a false ID to get into a nightclub?

It will be confiscated on-the-spot and you may be fined on the spot or taken to court.

I have been asked by police to state my name and address... do I have to give it?

Yes. Many sections of the law require you to state your name, address and age. If you don't you may be arrested or charged for failing to do so.

What happens if I'm arrested?

You'll be taken to a police establishment and your parent or guardian will be told. You may be fingerprinted and photographed, and under certain circumstances searched. Depending on the seriousness of the charge you may have to appear before a magistrate.

I'm charged with a drug offence as a child will it affect me when I'm an adult?

Your criminal history contains details of your convictions for criminal offences. If you go before the court and plead or are found guilty of a drug offence, even if a court made an order against you 'without conviction', it may end up in your criminal history.

It's easy to laugh off some of the silly things you may do when you're drunk or under the influence of other drugs, but **some things you can't laugh off** or delete from your Facebook page.

Your risk of sexual assault, rape, serious accidents and fights is greatly increased when you are under the influence of alcohol or other drugs.

Consider the problems that can be caused by the way alcohol and other drugs can make you behave. These include risk of falls, assaults, car accidents, unprotected sex, unplanned pregnancy, shame and embarrassment about your behaviour, loss of valuable items such as a damaged car or lost phone, and financial loss through reckless spending whilst intoxicated, or loss of income through time off work.

Keep yourself and your mates safe!

- Alcohol and other drugs (including prescription drugs) affect every person differently and mixing alcohol and other drugs together can amplify their effects, increase the risk of overdose or result in adverse or unpredictable reactions.

It's always important to remember that being under the influence of alcohol and other drugs affects your ability to make sensible decisions. It is better to make the right choices for you by staying in control

- Look after your friends and stay with people you know well and trust. Just because someone's a friend of a friend doesn't make them trustworthy. Be aware of what is happening around you, be confident and assertive and if you pick up 'bad vibes' from someone or someplace, trust your instincts and head for somewhere safe!
- Buy your own drinks, never leave your drinks or your friends' drinks unattended and never drink something you did not open or see opened and poured. Drink spiking can happen anywhere and you might not even notice any difference in your drink, especially if you're drinking and it has been spiked with alcohol.

Drink 'spiking' is when alcohol or another drug has been added to your drink without you knowing. Drink spiking is a criminal act that can occur in a range of settings including pubs, nightclubs and quiet premises or private parties.

Alcohol is the drug most often used to spike someone's drink, so chances are you won't be able to tell that your drink has been spiked.

If you or a friend suspect your drink has been spiked, or you have been the victim of an alcohol or drug-assisted sexual assault, contact the police or go to the emergency department of your nearest hospital. Urine or blood tests performed as soon as possible after the event can detect the presence of most drugs.

- If you suddenly feel sick or dizzy ask someone you trust to look after you. Similarly keep an eye on your friends. If your friends

are getting drunk get them to slow down drinking or offer them non-alcoholic drinks. If your friends are drunk think about getting them to sit down (so they don't hurt themselves), prevent them from drinking more and get them home safely.

- If you are going out, make plans beforehand about how you and your friends will get home. Don't get into a car with a driver who has been drinking or using other drugs.
- Don't walk home alone.
- If one of your friends has or looks like they may pass out or collapse, call an ambulance immediately. While waiting lay them on their side in the 'recovery position' to maintain their airway and stay with them.
- Remember, in any emergency call **Triple Zero (000)**.

More information and advice

Party Safe

www.police.qld.gov.au/party

For information on holding safe and lawful parties.

Australian Drug Foundation

<http://druginfo.adf.org.au>

For information about alcohol and other drugs and the prevention of related harms.

Alcohol, Tobacco and Other Drugs (ATOD)

www.health.qld.gov.au/atod

Queensland Health information and resources on the effects and impact of alcohol and other drug use.

Department of Health and Ageing

www.alcohol.gov.au

For the Australian Alcohol Guidelines and information about alcohol-related health issues and Australian Government policy.

Office of Liquor and Gaming Regulation

www.olgr.qld.gov.au

The Queensland Government Office of Liquor and Gaming Regulation offers a wide range of resources, information and facts sheets on liquor compliance issues, including information on alcohol and minors.

CONTACTS

Emergency

Call Triple Zero (000) if your life is in danger, there is a serious risk to your property, or a crime is happening now.



Non-urgent incidents:

Call Policelink 131 444 for non-urgent police assistance 24 hours a day 7 days a week. Alternatively visit or call your local police station.



Crime Stoppers

Call Crime Stoppers on 1800 333 000 to provide confidential information anonymously about unsolved crime.



Support Services

Call Alcohol Drug Information Service (ADIS) any time of the day or week on 1800 177 833 for support, information, advice, crisis counselling and referral services.

