



About: Young People and the Law

Young People's Personal Information

Young people have a right to privacy and confidentiality. Youth theatres should only use information for purposes that pertain to the young person's involvement in their programme. Passing of information to third parties should only occur if consent is given or required by legislation or law. Members should have the right to access any records that the youth theatre may hold on them.

Medical Treatment

At 16 years of age a young person can consent to surgical, dental or medical treatment. If they are under 16 years of age, they need to have the consent of their parent or guardian.

Age of Consent

A young person can legally have sex at 17 years of age in a heterosexual or homosexual relationship.

Buy/Be Served Alcohol

At 18 years of age a young person can legally buy alcohol and be served by a publican or retailer. At 18 years of age they are allowed into a pub after 9pm. 15-18 year olds are allowed in a pub before 9pm in certain circumstances without parents/guardians. Children are allowed in a pub before 9pm with their parents/guardians.

Smoking

At 18 years of age, a young person can legally smoke or purchase cigarettes. There is a complete ban on smoking in Ireland wherever people are employed; this includes the theatre and the stage.

Over18's

Members of the youth theatre who are over 18 are legally adults and therefore have the same legal rights and responsibilities as an adult. This should be considered when drawing up any policy or document that concerns members.

Examples:

The youth theatre should take particular care when dealing with topics that may be divisive e.g.

alcohol, smoking, group rules such as going off on their own when away. In some cases the youth theatre may choose to state that all rules pertain to all members regardless of age. This in itself can be sufficient.

Young adult members do not have to seek parental consent. It is, however, good practice to still have emergency contacts for them.

A disclosure of abuse by a member over 18 years of age must be handled with the same sensitivity as that of a disclosure by an under 18. With the consent of the victim, the youth theatre might follow the same reporting procedures as with a young person, as the alleged perpetrator may still be in a position to offend.

Or

Though there is no legal obligation to report welfare concerns about members who are over 18 to the authorities, the youth theatre should decide what their approach will be and include this in their policy.

If you are employing young people to work in the youth theatre:

A young person of 15 years of age can work part-time during the school term or during school holidays for up to 8 hours a week, provided there is a minimum three-week break from work in the summer.

A young person of 16 years of age can get a full-time job. At 16 years of age they can be employed during the school holidays to do light work for up to 7 hours a day, 35 hours a week. This permission will be given on the condition that the work will not be harmful to the young person's development, safety or health. The work cannot interfere with the young person's education.

The minimum wage rate for an experienced adult employee is €8.65 per hour. An experienced adult employee is defined as over 18 and working for 2 years or more. The minimum wage, however, doesn't apply to young people under 18 or people in training. For those under 18, the minimum wage is €6.06 per hour.

From 18 years of age onwards a young person should be paid €6.92 per hour in their first year of employment and €7.79 per hour in their second year of employment. The National Minimum Wage law does not apply to anyone under 18 years of age or young people who are employed by a close relative or who are serving apprenticeships (training).

The young person is automatically entitled to the minimum rate of €8.30 per hour once they have been working for 2 years at any time over 18 years of age. Any employee, irrespective of age, is entitled by law to a pay slip.