

## What Age Can I Consent To My Own Medical Treatment?

You can usually consent to your own medical treatment when you are aged 16 and over.

The parents of a child (under 18) are usually the appropriate persons to give consent for the medical treatment of a child. Parents by law are considered to have full responsibility for any of their children who are under 18 years. However, the closer you get to 18, the more you will be considered able to make your own decisions in respect of your health and medical treatment.

The law in Australia considers that a child under the age of 18 years of age is capable of giving effective consent to a medical procedure or treatment if he or she fully comprehends the nature and consequences of the procedure proposed, irrespective of whether a parent consents.

Therefore, the doctor can treat you irrespective of your parent(s) consent if the doctor considers you capable of providing consent.

To determine whether you are capable of providing consent to medical treatment and make other health care decisions, authorise the sharing of your confidential information and demand confidentiality if the doctor assesses you to be sufficiently mature and intelligent to make such decisions.

Consideration should be given to:

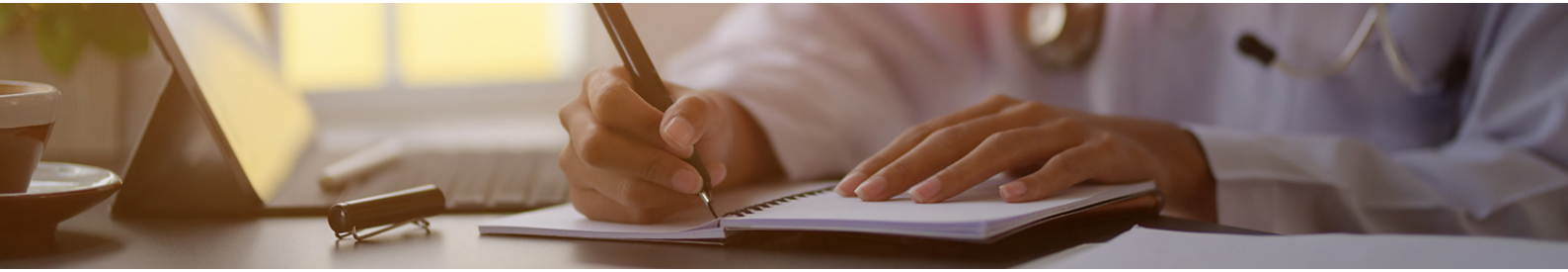
1. Your age and maturity;
2. Your ability to understand fully:
  1. The medical advice being given.
  2. The nature, consequences and implications of the proposed treatment.
  3. The potential risks to health.
  4. The emotional impact of either accepting or rejecting the advised treatment.
  5. The moral and family questions involved.

The Supreme Court can over-ride the decision of the mature minor and/or their parent with respect to medical treatment if they do not consider the decision to be in the child's best interests.

If the treating doctor does not think you have sufficient understanding, then parental consent will be required.

The less serious the treatment, the more likely you will be able to make your own medical decisions before you turn 18.

If you are under the age of 16 and have made a decision to terminate a pregnancy without your parents being informed then, unless you are an Independent Minor, you will need to get an order granting a termination by a Children's Court Magistrate. For more information, see our fact sheet "What age can I get an Abortion?"



## More Information

Youth Law Australia: <https://yla.org.au/wa/topics/health-love-and-sex/your-rights-at-the-doctor/>

**Please note:** Laws are subject to change. Last updated July 2020.

**Important:** The information provided in this infosheet is for information only. It should not be relied on as legal advice.

Please seek legal advice about your particular circumstances.