



# PARTIES AND THE LAW

Parties are meant to be fun. This is only really possible where you and your guests feel comfortable and safe, no matter what the situation is, or what you're getting up to at your party.

## Gatecrashers

If there is someone you don't want at your home and you ask them to leave and they don't leave, they are trespassing. If a trespasser does not leave the party, or if they trespass again, they are breaking the law. It is a crime for a trespasser to use offensive language or behave in an offensive manner. A trespasser has to give their name and address to the person who organised the party. If there is a trespasser at your party or at a party you are attending, you should call the police for help. Do not try to remove the trespasser yourself.

## Alcohol at Parties

### Parties at licensed venues

If you are having your party on licensed premises (like a pub or club), it is illegal for anyone under 18 to drink, buy, have or be given alcohol.



### House parties

It is against the law for young people under 18 to drink alcohol at a home. However, the law says it can be OK where the young person is given the alcohol by a parent or caregiver, or by another adult with parental consent, and there is responsible supervision.



If the supervising adult is drunk, or if the young people are drunk, it is probably not responsible supervision. You and your parents have a responsibility to make sure that people at your party are safe and not harmed.

### Warehouses, halls and other venues

If you have a party in some other kind of private property that is not a home (like a warehouse or community hall), it is illegal for anyone under 18 to drink, be given or have alcohol in their possession.

### What about drink spiking?

Drink spiking is against the law. 'Drink spiking' is when someone adds something (like drugs or alcohol) to someone else's drink or food to affect their behaviour without their knowledge. You can report drink spiking to the police.



## Drugs at parties

### What happens if people at my party get caught with drugs?

If there are illegal drugs in someone else's control (for example in their pocket or bag) at your party you won't personally be in trouble if they are caught by police.

However, knowing and allowing someone to sell illegal drugs at your house or party is considered to be taking part in the sale or supply of drugs and you could be charged with a serious criminal offence.

Giving drugs to other people is also illegal. For example, if you pass a joint around you can be charged with supplying drugs even if you weren't paid money for it.

## Medical emergencies

If someone gets hurt or drinks too much and it is an emergency, you should call an ambulance on 000.

When the ambulance arrives you should tell them how much the person has drunk and what substances they've taken.

Ambulance officers do not have to call the police unless they are in danger, someone dies or you request that the police attend.

If you think someone is having a drug overdose, you can call the Poisons Information Centre on 131 126, anytime and anywhere in Australia for advice.



## Noise complaints

### What happens if there's a noise complaint about my party?

Your neighbours, or other people who are affected by the noise, can make a complaint to the police. If the noise level is considered a nuisance, then the police can order you to stop or reduce the volume. If you don't follow this order you may be fined.



### Contact us!

Would you like more information, resources, or a free visit to your school, organisation or group?

Email: [cle@lsc.sa.gov.au](mailto:cle@lsc.sa.gov.au)

To apply for legal aid online, visit: [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

### Acknowledgments:

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Call our free Legal Help Line:

# 1300 366 424



**Legal Services**  
Commission South Australia

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