



Gillick Competency Test

“Gillick competence” is a term originating in England and is used in medical law to decide whether a child (16 years or younger) is able to consent to his or her own medical treatment, without the need for parental permission or knowledge. The standard is based on a decision of the Lady Justice Purvis in the case *Gillick v West Norfolk and Wisbech Area Health Authority* [1985] (1985) 3 All ER 402 (HL). The case is binding in England and Wales, and has been approved in Australia, Canada and New Zealand. The Australian High Court gave specific and strong approval for the Gillick decision in 'Marion's Case' (1992) 175 CLR 189. The Gillick competence doctrine is part of Australian law (see e.g. *DoCS v Y* [1999] NSWSC 644) and identifies those under the age of 16 with the capacity to consent to their own treatment.

These questions form part of the registration for Smooth Sailing and are designed to test the capacity of the young person to make a decision about their mental healthcare.

Hi there! We'll get you registered for Smooth Sailing in few easy steps!

First, we need to double check that you know what Smooth Sailing is. Please answer these questions.

What is Smooth Sailing?

- An online service to help high school students track their mental wellbeing
- A racing game for sailing boats
- I have no idea

How old do you have to be to use Smooth Sailing?

- Any age
- In high school
- I don't know

Do you feel pressured to sign up to Smooth Sailing?

- Yes
- No
- I'm not sure

When can you stop using Smooth Sailing?

- I am free to stop using it whenever I want
- I am forced to keep using it
- I don't know

Smooth Sailing will let the school counsellor know if anyone is in need of extra support. They will then follow-up and help out - all in private. Are you okay with this?

- Yes
- No