

The Youth Coalition recognises that young people have a fundamental right to equality in society, but as a result of their age, they are often disadvantaged in relation to other citizens. Aside from the discrimination that young people face as a result of their age, specific groups of young people may face additional discrimination which may include, but is not limited to, their gender, religion, race, political opinion, nationality, sexual orientation or disability. A clear example of this type of discrimination is young people from Aboriginal and Torres Strait Islander backgrounds who face systemic discrimination.

The Youth Coalition deplores all forms of discrimination and fully supports the Convention on the Right Of the Child (CROC), Universal Declaration of Human Rights (UDHR), Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), Declaration on the Rights of Disabled Persons (DRDP), International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR) and Convention on the Elimination of Racial Discrimination (CERD) which all call for rights to be enjoyed without discrimination of any kind.

Age discrimination is systemic in that it often originates from the premise that young people are less competent than older people. While the Youth Coalition recognises that experience can play an important part in some situations, we also recognise that there are many instances where age is used to discriminate against young people who have similar competencies to older people but are in some way disenfranchised. This type of discrimination occurs in a number of situations including in the age of voting and in the system of youth wages. The Youth Coalition believes that both of these acts of discrimination are fundamentally wrong and breach both the UDHR and the CROC.

Young people are also less likely to make complaints about age discrimination with only 13% of complaints received by the Human Rights and Equal Opportunity Commission in 2004-05 lodged by young people under the Age Discrimination Act.¹ The low levels of young people who challenge discrimination is part of a broader trend of young people experiencing an inferior position within society and not challenging unfair and unlawful behaviour which is demonstrated in the relatively few cases of appeals in Centrelink and employment matters. This phenomena is due, in part, to young people not knowing that what has occurred is in fact illegal, being unaware of complaints processes, the complexity of complaints processes and a belief that people will not take notice of them. The Youth Coalition believes this is a major concern and that more work must be done in order for young people to challenge unfair and unlawful behaviour.

The Youth Coalition also recognises that due to historical factors and current social beliefs and attitudes particular groups within society continue to face indirect discrimination. The Youth Coalition supports the notion of affirmative action in order to ensure that those who experience marginalisation in society are able to overcome discrimination. This is the case for young people who lack certain citizenship rights and as a result, require a range of strategies designed to enable them to fully engage in various activities that may not be necessary for

¹ HREOC (2005) *HREOC Annual Report P65*

older members of society. The Youth Coalition also believes that the responsibility for tackling discrimination lies with the whole community and it is the responsibility of all people and organisations to ensure that they operate from an inclusive and supportive basis and that there should be a complete intolerance for any forms of discrimination in society.

Discrimination can occur deliberately at times, but it can also occur as a result of indirect and unintentional acts. Government policy setting can be an example of this type of discrimination where policies are put in place to protect and please some members of the community with the unintended consequence of unfairly targeting young people. This may be demonstrated through public space rules on anti-social behaviour and even through public space design that excludes young people from using the space.

Unintentional discrimination can also occur when institutions responsible for the wellbeing of young people reflect or indirectly support discrimination which occurs in that environment. Schools have the potential for this type of discrimination if they fail to address discrimination within their communities and may even reflect this kind of discrimination, reinforcing the behaviour for young people. As such, all those who work with young people should be constantly aware of possible forms of discrimination and be committed to fighting discrimination wherever it may occur.

The Youth Coalition is committed to:

- ◆ Advocating for increased education for young people on complaints processes and increased support for young people in making complaints through authorities such as the ACT Commissioner for Children and Young People, ACT Human Right Office, the Human Rights and Equal Opportunity Commission, the Office of the Public Advocate, the Office of the Employment Advocate, the Administrative Appeals Tribunal and Centrelink.
- ◆ Advocating for the elimination of all forms of unnecessary and disenfranchising age discrimination in legislation.
- ◆ Combating discrimination and promoting equality and inclusion in all areas of the Youth Coalition's work.
- ◆ Encouraging and supporting all youth service providers to development and implement non-discriminatory practice that make their services inclusive and supportive of all young people.