

Active Ageing Policy Team
Office of the First and Deputy First Minister
Room E3.18
Castle Buildings
Stormont Estate
Belfast
BT4 3SL

21 May 2014

Dear Sir / Madam,

Re. Active Ageing Strategy

Include Youth is an independent, rights based non-governmental organisation that promotes the rights, best interests of and best practice with disadvantaged and vulnerable children and young people. The young people we work with include those from socially disadvantaged areas, those who have had poor educational experiences, those from a care background, young people who have committed or are at risk of committing crime, misusing drugs or alcohol, undertaking unsafe sexual behaviour or other harmful activities, or of being harmed themselves.

Many of the issues which impact on the lives of children and young people are also concerns for older people in society, including experiencing discrimination in accessing goods, facilities and services, for example equal access to health care provision.

Include Youth is therefore entirely supportive of the development and implementation of the Active Ageing Strategy for Northern Ireland, and also of the need to create a positive society for people of all ages where everyone's rights are respected and people can live free from discrimination.

Include Youth is a member of Children in Northern Ireland (CiNI). We have had sight of CiNI's response to this consultation and fully endorse it. We wish to echo the specific concerns raised in that response in relation to ensuring that any future Age Discrimination Goods, Facilities and Services (GFS) legislation in Northern Ireland must provide protection for all people in Northern Ireland in accessing goods, facilities and services on the grounds of age.

We are extremely supportive of the inclusion, within the context of the Active Ageing Strategy, of the commitment by the Northern Ireland Executive to introduce such legislation. Protection for all people in Northern Ireland in accessing goods, facilities and services on grounds of age is long overdue and we wish to see the Northern Ireland Executive introducing legislation urgently, following a comprehensive consultation, including an Equality Impact Assessment of proposals and widespread direct consultation with older people and children and young people and their representatives in line with the Government's statutory obligations under section 75 of the Northern Ireland Act 1998. This would give effect to the commitment within the Programme for Government 2011-2015 to extend age discrimination legislation to the provision of goods, facilities and services; the target date for completion of this legislation is 2014/15.

We are aware of course that there is some disagreement with regards to the proposed scope of the legislation and whether it should in fact include under 18s. Include Youth's unequivocal position that any proposed exclusion of children and young people from the scope of the legislation would constitute a fundamental breach of the Government's obligations under the UN Convention on the Rights of the Child and would entrench a hierarchy of inequalities, with children and young people at the bottom. Such a development would be incompatible with domestic legislative obligations contained in Section 75 of the Northern Ireland Act 1998 but also with the legal provisions of the UN Convention on the Rights of the Child.

We were pleased to note, in her evidence to the OFMDFM Committee¹ that the Commissioner for Older People, while noting that her statutory duty is limited to speaking on behalf of issues affecting people over the age of 60, expressed concern that legislation that would seek to only afford adults with specific protections from discrimination cannot, by its very nature, be considered equality legislation if it ignores the rights of the children and grandchildren of those adults.

In conclusion, we are grateful for the opportunity to make this submission. We wish to be kept fully informed of progress in the development of the Active Ageing Strategy and in particular, the development of proposals for the extension of age discrimination legislation to goods, facilities and services.

Yours sincerely



Stewart Finn

Policy Advocacy Manager

¹ http://www.niassembly.gov.uk/Documents/Official-Reports/OFMDFM/2013-2014/140430_AgeDiscriminationLegislationrelatingtoGoodsFacilitiesandServicesOFMDFMBriefing.pdf