



15 June 2023

Anne Hollonds
National Children's Commissioner
Australian Human Rights Commission

By email: youthjusticereform@humanrights.gov.au

Dear Anne,

Youth Justice and Child Wellbeing Reform across Australia

Thank you for inviting Anti-Discrimination NSW (**ADNSW**) to make a submission in response to the Australian Human Rights Commission's (**AHRC**) important project that will investigate opportunities for reform of youth justice and child wellbeing systems across Australia.

ADNSW administers the Anti-Discrimination Act 1977 (**ADA**), which makes it unlawful to discriminate on the grounds of sex, age, race, homosexuality, carer's responsibilities, marital or domestic status, disability, or transgender status in certain areas of public life. Sexual harassment and vilification on the grounds of race, homosexuality, transgender or HIV/AIDS are also unlawful.

ADNSW staff work under delegation to respond to enquiries and investigate and conciliate complaints made under the ADA. If someone alleges discrimination that appears to be covered under the ADA, ADNSW staff will conduct an impartial and confidential investigation which may involve bringing the parties together to resolve the matter. ADNSW has First Nations staff available to assist First Nations people to make an enquiry, seek information, lodge a complaint or undergo conciliation.

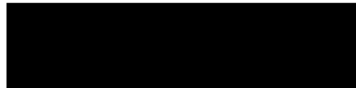
While ADNSW does not receive many formal complaints that relate to the issue of youth justice and child wellbeing in Australia, independent research shows that discrimination and human rights abuses persist in this area. Systemic racism, discrimination and intergenerational trauma and disadvantage have contributed to the over-representation of Aboriginal and Torres Strait Islander youth in child protection and youth justice systems. ADNSW welcomes the AHRC's project in this area to find ways to tackle discrimination and redress historic disadvantage through special measures.

ADNSW works widely with government and community organisations to reduce and eliminate discrimination and to raise awareness about race discrimination and vilification. We also collaborate regularly with our State and Federal anti-discrimination and human rights counterparts through the Australian Council of Human Rights Agencies (**ACHRA**). ADNSW does not have the same human rights responsibilities as some other ACHRA agencies and would support any proposed reform to strengthen ADNSW's human rights jurisdiction to further protect the rights and wellbeing of children and young people.

Please do not hesitate to contact me if you have questions or if ADNSW can assist with this project.

We look forward to following the project's findings and recommendations.

Kind regards,



Jackie Lyne
Manager, Governance & Advice
Anti-Discrimination NSW

