

24/09/2013

ARTICLE

End age discrimination from cradle to grave

View from the Chair, Business Newsletter, Tues 24 Sept 2013

Michael Wardlow, Chief Commissioner, Equality Commission NI

I remember as a young teenager really eagerly awaiting my “coming of age” at 18. So much was going to happen. I would be an adult. I would be treated as an individual, not someone’s else’s son. The day came and went without significant change to my life. The reality is that in the West we have no one activity or event that marks the transition between childhood and adulthood. Simply put, we are human beings, who pass through various stages in life. In some of those stages, it is necessary to ensure we have the protection of law to ensure we are treated equally and not discriminated against or manipulated because we are perceived to be too young or too old.

You may not be aware that although the law in Northern Ireland does protect people against age discrimination in the workplace, it does not cover discrimination in the provision of goods, facilities and services. This gap in protection can affect people in a wide range of areas, such as health and social care, financial and insurance services, even access to retail or transport services.

That is something which the Equality Commission has argued should be changed and the Commission has argued that a new law be introduced which would end age discrimination in this area for people of all ages, from cradle to grave.

The Programme for Government, includes a commitment to extend the scope of the existing law to cover goods facilities and services, and it is expected that a consultation will take place over the next few months on what the new law should contain.

Robust protection for discrimination against older people will be part of the new legislation. The Equality Commission, together with NICCY, the Northern Ireland Commissioner for Children and Young People, are of the firm view that the law should also extend to people in younger age brackets. That is not at present the case in Great Britain where the law does not cover people under the age of eighteen.

There are, of course, situations where it will be appropriate for age to be a factor; for example restrictions on children being sold alcohol or cigarettes. The new law can reflect these in specific exceptions and will include the protections for children already in place. We have also proposed that concessions aimed at older and younger people should not be considered discriminatory, so for example, cheaper transport fares or admission to leisure facilities would still be permitted.

As with any new law, businesses and public authorities will have to consider how it impacts on their activities. Although complex in nature, the underlying principle for the legislation will be similar to that of all anti-discrimination laws. People should not be treated less favourably because they are seen as part of a particular group. That is true when we talk about disability, race, religion, gender or sexual orientation; and it is equally true when we come to consider people who are older, younger or any age in between. We must see the person, not the label; and deal with that person fairly and equally on the basis of their individual capabilities and needs.