

The Quarterly  
Journal of the  
Youth Affairs  
Network of Qld

VOL 1 NO 2  
WINTER 1991

# transitions



**YOUNG WOMEN'S HOUSING GROUP**

**YOUTH, CLASS AND POLICY**

**JUSTICE FOR JUVENILES**

**ANTI-DISCRIMINATION LEGISLATION**

Registered by Australia Post  
Publication No. QAW 0031

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Youth Affairs  
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PO Box 116  
Fortitude Valley  
Qld 4006

PH: (07) 852 1800  
FX: (07) 852 1441

YOUTH INFO LINE  
PH: (008) 177899

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# EDITORIAL COMMENT

Welcome to our second issue of *Transitions*, the quarterly journal of the Youth Affairs Network of Queensland. This issue contains a range of topical pieces on Queensland's juvenile justice legislation, implications for youth in the state's proposed anti-discrimination legislation and the formation of a Young Women's Housing Group in South-East Queensland.

In contrast to our informal "whats hot in the youth sector" quarterly newsletter, *Transitions* offers scope for more formal research. YANQ is open to receiving articles from across the youth sector on youth related issues. These may be anywhere between 1,000 to 2,000 words in length and should be well researched and referenced and written in an easy-to-read style.

At this stage we envisage that two issues a year will be based on a specific theme and two will encompass a range of themes. Our aim is to move increasingly towards providing a vehicle for Queensland based research to be published.

If you have a theme which you would like to see explored or would like to contribute an article please contact the YANQ office on (07) 852 1800.

## ART WORK

IMAGES FROM THE 'HOME-  
LESS NOT HOPELESS' EXHIBI-  
TION PRODUCED BY YOUNG  
PEOPLE WITH THE BRISBANE  
YOUTH SERVICE IN 1990.

A SPECIAL THANKS TO  
NATHAN, DITA, CHRIS, MARK,  
MICHAEL, SIMON AND ANNA

**do you like  
to write  
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want to  
hear from  
you**

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# a web of divisions?

## YOUTH, CLASS AND POLICY

### PETER PEARCE

This paper seeks to facilitate discussion of a number of issues of relevance to the field of Youth Affairs. A range of material and opinion gleaned from the literature is presented. The central argument presented is that while categories such as youth are useful there are risks involved in over-emphasising their relevance in the creation of social disadvantage. It is argued that the divisions of social class are the principal force in the creation of disadvantage and that youth policies must address these divisions if greater equity is the goal.

#### YOUNG PEOPLE / ADOLESCENTS JUVENILES / YOUTH / TEENAGERS:

#### USEFUL CATEGORIES OR USELESS JARGON?

There are many views on the validity of the various means of categorisation employed to identify young people as a social group that is distinguishable from the general population. The reader will have noted the variety of terms that are used, often interchangeably, to describe the period of life that rests between 'childhood' and 'adulthood' (eg. youth, adolescent, teenager, young adult, juvenile). Some owe their origins to the discipline of psychology and the biological studies and have as a principal focus the individual and her/his development. Others owe their origins to the social studies and have as a principal focus the interaction of the individual with her/his environment. Here, the impact of this interaction on the individual is often of particular concern (Coleman and Hendry, 1990).

This paper does not attempt to be definitive on the matter of an age range, for definition of youth. The discussion that this paper is intended to facilitate will be best served by avoiding the urge to be prescriptive. Instead, it is suggested that we are all aware of the simple fact of the development of human beings. It might be helpful if this development is viewed as a continuum that progresses from conception to ultimate

death. Continuous change is a part of the nature of continua and so it is therefore not possible to separate any discrete part from the whole. Each moment of development is both the completion of itself and the commencement of the next.

Never-the-less, for the purposes of description, analysis and simply to help in making sense of human experience, it is necessary to label the phases of development and to create identifiable parts. These identifiable parts are created through the invention of the rough and ready descriptors of infancy, childhood, youth and adulthood. These descriptors give a general picture only. They do not describe phases of the developmental continuum that are definitive or absolute (Charlesworth, 1989).

The function of the rough and ready descriptor 'youth' is to identify a phase of the human development continuum that experience, research, social custom and conventional wisdom tells us exists. The social meaning of this developmental phase is explained as:

*...a withdrawal from adult control and influence compared with childhood. Peer groups are the milieu into which young people withdraw. In at least most societies, this withdrawal to the peer group is, within limits, legitimated by the adult world. ...There is a moratorium on compliance and commitment and leeway allowed for a relatively unguided journey with peers towards autonomy and maturity. (Marsland, 1987)*

What we do not know is when 'youth' begins and ends for all young people. All that we can say is that for individual young people 'youth' begins when they begin to seek a greater degree of autonomy compared to that afforded them as a child and that it ends when autonomy and maturity are reached. In this context the arbitrary imposition of age limits is of little relevance. Where it is necessary to impose age limits for planning or access purposes it should be recognised that they are a crude device. For example, there is nothing



pivotal that happens on a young person's seventeenth birthday and yet for some reason s/he becomes eligible to apply for a driver's license. The imposition of such eligibility criteria is not totally without logic; it is clear that twelve is too young and that twenty-five is too old, and yet it is true that there is nothing exceptional about seventeen (Charlesworth, 1989). The same can be said of a range of rights that are rationed according to age. Most often the age that is nominated is no more than a crude average of the ages that are obviously too young and too old.

The reader can be assured that the life experience of young people differs from the experience of the infant, child and adult population in many ways. The period of 'youth' does have social meaning and it can be distinguished in a general sense. It is not possible; however, to be definitive or absolute about when this period begins or ends. When, for practical purposes we are compelled to do so by setting age limits, we must recognise the crudity of such measures and adjust our expectations of the same accordingly.

The question remains; are the variety of categories used to describe young people of real use? The answer is that, when used in context and not in a prescriptive manner, they are useful.

### YOUNG PEOPLE AND SOCIAL INEQUALITY

Recognition of the fact of the existence of 'youth' as a phase in the human development continuum and

acknowledgement of the experience of young people as being different from that of infants, children and adults does not explain the burden of social inequality that some young people are compelled to endure.

Much of the discussion on Youth Affairs matters is predicated on acceptance of the view of young people as a social group with identifiable common interests and common needs and therefore common claims on social resources (Jamrozik, 1988). The essence of much that is written is that young people endure a variety of hardships and privation that have as a root cause the 'ageist' organisation of modern society. Social inequality in the youth population tends to be related to variables such as age, sex, ethnicity and so on (Boland and Jamrozik, 1987). There endures a view of young people as being bound together by the fact of their age; of their being universally disenfranchised on the primary basis of age with some recognition of the additional impact of sex and ethnicity.

While it is doubtlessly true that some of the social inequality evident in the youth population can be related to these variables, it is questionable whether the same can be said to constitute the primary source of that inequality or that the burden of inequality is endured by all young people.

What much of the discussion of Youth Affairs matters ignores is social division based on class and the consequent social inequality evident within the youth population. There is evident a perpetuation of the "popular but patently absurd fiction" of "classless youth" (Roberts, 1983).



Creative graffiti makes strong statements about the dissatisfaction young people experience in their lives

While there is no intention or need to dismiss the impact of variables such as age, sex or ethnicity as they affect the youth population, it is asserted that such variables constitute 'lower order' inequalities which occur within 'higher order' structural inequalities of social class (Boland and Jamrozik, 1987). Further, it is clear that a perception of young people as a homogeneous social group with common interests and common claims on social resources is patently wrong. Inequalities based on social class are as evident and significant within the youth population as they are in the society as a whole. A multitude of examples of such inequality exists in the differing experiences of young people in institutions such as the labour market and the education system (Jamrozik, 1988). Boland and Jamrozik (1987) are quite emphatic when they assert that:

*Differences in educational attainment among young people are closely related to their social class, and the advantage or disadvantage in the labour market is a direct outcome of these differences.*

The implications of these observations for the field of Youth Affairs are far reaching. Vastly different emphases will derive from a focus on the 'lower order' inequalities precipitated by the variables of age, sex, ethnicity etc. than from a focus that recognises the 'higher order' of inequality that is precipitated by the divisions of social class. The impact of this difference will be most notable when establishing social policy priorities and allocating social resources intended to ameliorate unacceptable social inequality.

## YOUNG PEOPLE AND YOUTH POLICY

Policy development in the area of Youth Affairs has tended to concentrate on a problematic view of young people. As one writer noted:

*Society, as if compelled to obey a kind of cyclic ritual not devoid of fear, periodically rediscovers the existence of it's young people....This discovery or rediscovery of youth, however, is made each time as a 'problem'. (Lagree, 1987)*

There are many examples of the problematic treatment of youth issues; however, there is perhaps none more succinct than the Order In Council which constituted the Queensland Commission of Inquiry into Youth. The commission is directed to:

*make inquiry into the nature and extent of problems confronting youth in Queensland... (Commission of Inquiry into Youth, 1975)*

There are implicit in this view of young people and youth issues, myths that deserve to be permanently and unreservedly debunked.

The roughly defined period of the human development continuum that we call youth is not inherently problematic. There is no psycho-pathological condition that descends upon all young people and thus makes life an unending series of problems to be endured by them and suffered by us. Youth is only a period of withdrawal from adult control and influence as compared to childhood (Marsland, 1987). For many young people this pursuit of autonomy is a pleasant experience, thanks in large part to the resources and opportunities provided by their parents. Pretending that youth is an inherently problematic time of life does little to focus attention on the real causes of social inequality within the youth population, and much to individualise matters that ought be addressed as collective social concern.

It has been noted previously that to define young people as a homogeneous social group is patently wrong and yet an assumption of homogeneity is implicit in a problematic perception of youth. All too often issues affecting young people are perceived in a homogenised, uni-dimensional form. The consequence is stilted policy and programme responses that are incapable of the complexity that is required. Oft touted one-off solutions to 'youth crime' are an eloquent example of this homogenised misconception. It requires very little investigation to note that young people offend for a multitude of reasons that demand multi-dimensional responses. A midnight curfew, a drop-in centre or the best juvenile gaol will not do (Potas, Vining, Wilson, 1990).

The role of governments in the formulation of social policy affecting young people is characterised by a number of central concerns.

Young people are affected by social policy initiatives in a broad range of areas which may include income support, housing, health services, job availability, education and training, and personal and family support. Over many years governments and statutory bodies with responsibility in these areas have sought the most minimal level of responsibility they could assume (Maas, 1990). Evidence of this minimalist urge is noted in the continued attempts of the Federal government to avoid ultimate responsibility for the income security of all young people, regardless of the provisions of the recently ratified Declaration of the Rights of the Child. Further evidence can be found in the existence of a substantial homeless youth population. Continuing confusion within governments as to where ultimate responsibility for homeless young people should lie has led to the conclusion that a legion of young people are ultimately and absolutely responsible for themselves (Maas, 1990). It does seem that



responsibility will be avoided by all but those who are physically unable to do so.

Much of government youth policy assumes that families are able and willing to provide substantial support to their young people. It is this assumption that is used to validate the claim that the income requirements of young singles are less than those of singles aged over 21 years (Human Rights and Equal Opportunity Commission, 1989). Evidence of these assumptions is to be found in Federal income support provisions and in the beliefs and attitudes that underpin the fixing of industrial awards. Young people fare very badly in both arenas (Maas, 1990. Maas, 1990b. HREOC, 1989. Davey, 1990. YACA, 1991). The reality for many working class young people is that they cannot rely on substantial support from family but rather, are expected to make a substantial contribution to the family income.

The apotheosis of all things economic is a force that has pervaded the thinking of Australian governments of all persuasions. One consequence of this is the complete subordination of social policy matters when there exists some conflict with an economic consideration. Acceptable social priorities have become those that the market can sustain. Social policy has been relegated to the residual role of providing redress to those who are seen to be economically uncompetitive in a society that is defined by market forces (Maas, 1990). For economically uncompetitive young people the outcome of this process is that social programmes designed to ameliorate their disadvantage are increasingly restricted to the areas of employment, education and training. These have become the holy trinity of youth policy, despite irrefutable evidence of the considerable disadvantage of working class young people in areas such as housing, health and income support (Sercombe, 1990).

A final comment on the responses of both government and the community to a broad range of youth issues might be to note the absence of any over-arching vision that guides the formulation of youth policy.

**There is much rhetoric spoken about young people and the future, and yet there is a conspicuous absence of any vision that guides what future our young people will inherit. Given the absence of such a vision it should be of no surprise that governments and communities seem reluctant to invest in the future to be offered the young. Equally, it should not be surprising to note amongst the young some ambivalence about the future they are expected to accept (Maas, 1990. ANOP, 1988).**

All of the foregoing is intended to illuminate matters that lie at the hub of a discussion of Youth Affairs. An understanding of the relevance and purpose of descriptors such as 'youth', recognition of the limitations that the rough and ready nature of these descriptors impose, knowledge of the genesis of social inequality endured by some young people and information on the direction of social policy affecting young people will constitute a foundation for discussions in this area.

The specific issues of young people and the labour market, young people and income support and young people, housing and homelessness warrant specific consideration because of their seminal role in the lives of all people. There are a plethora of other specific Youth Affairs issues to which those with an interest should eventually turn. However, space dictates that the remainder of this paper be dedicated to a brief exposition of the three items listed above.

### YOUNG PEOPLE AND THE LABOUR MARKET

It is clear that young people, and especially working class young people, experience the labour market in a manner that is different to any other group. The simplest observation that can be made is that, generally, young people are new entrants to the labour market and must therefore experience things differently to more established groups. For working class young people the essential difference is that they are less likely to find a place than are the members of other groups (Jamrozik, 1988. Sercombe, 1990).

There is no great difficulty in demonstrating the disadvantage that the population cohort of 'young people' suffers in the labour market:

*They are disadvantaged because, other factors such as attitudes and willingness to work being equal, they generally lack the experience, the maturity, the physical strength and the specific vocational qualifications of their older siblings or of their parents. (Sweet, 1988)*

Add to this the extraordinary rates of youth unemployment, the phenomenon of youth under-employment and the comparatively lesser wages paid to young people who do work, and the general disadvantage of young people in the labour market will be clear.

A major concern arises regarding the relevance and utility of this observation when it is quoted in anything other than the broadest possible context. Using this broad perspective on disadvantage when arguing for specific labour market programmes and related assistance, risks creating a view in the public mind of all individual young people being disadvantaged in

real terms. This is far from the truth. The large majority of young people are either in secondary and post-secondary education or employment. Real disadvantage is largely the preserve of those early school leavers for whom the labour market has no place (Jamrozik, 1988. Polk and Tait, 1990). It is not unreasonable to posit the view that these young people are invariably of the working class.

For working class young people, disadvantage in the labour market is but the beginning of a pattern of disadvantage that often will remain with them for all of their lives. For these young people the class divisions in the youth population are a replication of the divisions and disadvantage endured by their parents (Boland and Jamrozik, 1987). It is through an attack on this nexus that those who are burdened with real disadvantage in the labour market will benefit.

## YOUNG PEOPLE AND INCOME SUPPORT

In the interests of simplicity this section focuses briefly on the incomes and income requirements of single young people with no dependants. This expediency should not persuade the reader that such is the lot, or are the requirements, of all young people. The many young people who are heads of households and the principal providers for young families would disagree most emphatically with that conclusion.

The Institute of Applied Economic and Social Research (1990) estimates the poverty line nett income for a single person, in the workforce and before deduction of the cost of housing, to be \$187.10 per week. The equivalent for a person not in the workforce is \$151.70 per week. The shortcomings of the Henderson Poverty Line are acknowledged; never-the-less, in the absence of a reasonable alternative the following comparisons are worthy of note.

It is estimated that 40% of full-time workers under 21 years of age earn less than \$163.30 per week (Davey, 1990). An unemployed single person aged 21 years or more may receive a Department of Social Security (DSS) benefit of \$130.00 per week. An unemployed single person aged less than 21 years but more than 17 years may receive a DSS benefit of \$96.00 per week. A homeless full-time student or unemployed young person aged less than 18 years may receive a DSS benefit of \$96.00 per week, provided s/he is able to satisfy extremely stringent criteria and is willing to forgo her/his right to privacy and individual dignity. The disparities are obvious.

Despite their own best efforts many young people are left to live in poverty. The arguments used to rationalise the payment of inadequate wages and benefits to many young people centre on two key assumptions. They are, that young people are in receipt of the

material support of their parents; this is often referred to as The Presumption of Dependence; and that the payment of adequate benefits to unemployed and homeless young people will act as an encouragement to others to leave home, school, work etc (Maas, 1990. Maas, 1985. NYCH, 1988). These arguments are demonstrably false and therefore iniquitous. They reside in a world where reason and equity are absent and the short term economic imperative prevails.

Once again, it is not unreasonable to posit the view that working class young people will be most affected by inequitable income and income support policies. It is they who are least likely to be in receipt of the material support of parents. They may, in fact, be required to contribute to the family income over and above the cost of their own living expenses. When unemployed working class young people receive income support payments that are deliberately held well below the poverty line the consequence may well be that they become homeless because of the families inability to provide support. Again, it is in confronting the nexus that exists between young people, social disadvantage and social class that an equitable youth incomes and incomes support strategy will derive.





## YOUNG PEOPLE HOUSING AND HOMELESSNESS

It will be obvious to some that, if youth is a period when young people strive for a greater degree of autonomy from their parents, then at some point housing that is separate from the parental home will become of interest. It is for this reason that a supply of housing that is compatible with what are largely single person requirements, is of such importance to any community. When a community fails to provide such housing or when the same is inaccessible to sections of the youth population, the phenomenon of youth homelessness should come as no surprise.

The National Youth Coalition for Housing (NYCH) defines youth homelessness as:

*The absence of secure, adequate, and satisfactory shelter as perceived by the young person, and for homelessness to exist, at least one of the following conditions, or any combination of conditions, should be operative:*

- a) an absence of shelter;*
- (b) the threat of loss of shelter;*
- (c) very high mobility between places of abode;*
- (d) existing accommodation considered as inadequate by the resident, for reasons such as overcrowding, the physical state of the residence, lack of security of occupancy, or lack of emotional support and stability in the place of residence;*
- (e) unreasonable restrictions in terms of access to alternative forms of accommodation. (NYCH, 1988).*

This very rigorous definition poses a test that many communities would fail. It is for this reason that some have sought to discredit the same by describing the vision implied by this definition as utopian (Walsh, 1990). What the reader must consider is which of the conditions described is it reasonable to expect young people to endure? The answer ought to be none. A commitment to develop youth housing and youth homelessness policies that seek to ensure that young people avoid the privations of homelessness will follow. The development of these policies should be guided by the following comment.

*For working class young people, independence and autonomy often means a life of deprivation and certain kind of social anomie. (Jamrozik, 1988)*

That is an unjust and unacceptable outcome of what is after all, a socially purposeful process.

## CONCLUSION

There has been a tendency among those with an interest in Youth Affairs to emphasize the significance of factors such as age, sex, ethnicity and ability in the creation of social disadvantage. This paper has sought to put an alternate view. It has been argued in this paper that while such factors doubtlessly contribute to the disadvantage endured by some young people, they constitute a lower order of inequality within a context defined by the divisions of social class.

The central thesis of this paper is that youth policies that seek to break the nexus that exists between social class and social disadvantage will be most likely to produce equitable outcomes. The formulation and implementation of these policies must give due recognition to the particularly disadvantageous position of working class young people.

**At the time of writing Peter Pearce was working for the Youth Affairs Network of Queensland as a Policy/Research Officer. Peter is now working as a Policy/Resource Officer for the Dept of Family Services and Aboriginal and Islander Affairs.**

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## YOUTH AFFAIRS NETWORK OF QUEENSLAND

# MEMBERSHIP APPLICATION FORM

Name \_\_\_\_\_

Organisation \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Code \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_

Fax \_\_\_\_\_

### MEMBERSHIP CATEGORY APPLIED FOR:

Ordinary  
(community based worker or service) ☐

Associate  
(government worker or service) ☐

### MEMBERSHIP FEE PAYABLE

Non-waged individual \$5.00 ☐

Waged individual \$10.00 ☐

Organisation \$25.00 ☐

I enclose a cheque for \_\_\_\_\_  
in payment of membership fees

Signature \_\_\_\_\_



## **ACTIONS SPEAK LOUDER THAN WORDS**

# **the young women's housing group**

**The Young Women's Housing Group (YWHG) is a group of young women addressing the immediate housing issues which confront young women in South East Queensland. The YWHG is acknowledging and responding to young women with housing needs who have limited options or nowhere to turn.**

### **RATIONALE FOR A FORUM**

Many young women who seek the support of mixed gender youth services often share similar background experiences of transient lifestyles, homelessness, domestic violence and in many cases are incest survivors. While these young women may use youth shelters to acquire safe, secure housing, the environment of these shelters, particularly crisis shelters, limits the ability of staff to acknowledge and address these issues with young women effectively.

The use of inappropriate forms of shelter is further complicated by the limited number of housing options available to young women. In 1987 the National Youth Coalition for Housing (NYC) Report found that:

**In spite of women seeking accommodation, only a handful of youth housing services cater to the needs of young women exclusively.**

The accumulation of these factors provided for the YWHG the rationale for establishing a forum for focussing on young women's housing issues.

### **RESEARCH REQUIRES ACTION**

Surveys and research provide the evidence but offer little direct personal and financial support. The YWHG believes that without effective, well formulated programs of intervention young women will continue to be exposed to negative experiences in their attempts to seek safety and security. The establishment of "band-aid" services does not address the root problems of homelessness. It merely prolongs the problem and shuffles young women aimlessly through the welfare system.

The YWHG has undertaken the task of acting on research compiled in collaboration with the stated needs of young women. Their aim? To utilise the experience and knowledge young women offer to develop strategies and achieve a range of suitable housing options for young women.

The concept of developing a Young Women's Housing Service is not new. Similar initiatives have been made in other states and the battles for funding and survival have been fought hard and won. Yet the idea for a developmental model for a young women's housing service has been difficult to legitimate in Queensland. Attempts have been made in the past to acquire funds for a young women's supported accommodation service and a developmental model has not been successful.

However the YWGH are dedicated to establishing a model that will provide young women with the resources to direct and maintain their own lives.

**Young women require professional, well resourced intervention if there is to be any hope of breaking the abusive or homelessness cycle.**



One of the less attractive but all too real options facing homeless young women

## IN THE BEGINNING

The YWHG was formed in September 1990 in direct response to young women's housing needs. Preliminary aims which were developed include:

- \* to bring together women involved in the area of young women's housing in Brisbane;
- \* to heighten awareness of young women's housing issues;
- \* to facilitate integration of young women service providers and users in setting the goals and direction of the group;
- \* to provide young women with information on existing housing options;
- \* to encourage and facilitate cross cultural involvement and integration;
- \* to develop a task group who would be committed to lobbying and writing submissions for more appropriate housing options for young women;
- \* to encourage the participation of young women in the development of services and decision-making procedures.

In attempts to develop the YWHG various agencies were approached for support and information. The now defunct Women's Information Service highlighted the need to acquire funding to promote the Group. Under the National Agenda for Grants Project an application for a resource and development worker was submitted to the Office of Status of Women in September 1990. The application was unsuccessful. Limited funds were provided by the Women's Information Service to facilitate the organisation of early meetings.

## ON COMMON GROUND

The first meeting of the YWHG was held in December 1990 and was attended by a number of women from agencies around Brisbane. The meeting successfully brought together women who shared similar concerns about young women's access to adequate accommodation in Brisbane. The focus of the meeting was to facilitate a combined response to housing issues in an all female forum.

Young women's participation at the initial meeting was minimal. The need for a developmental, creative process to attract young women to the group was acknowledged. A second meeting in January 1991 addressed the need to formulate group aims and direction. A third meeting in April addressed issues related to future direction.



## CURRENT ACTIVITIES

The YWHG is presently involved in the Youth Initiatives Program procedure for allocation of 1990/1991 funds. This year's target groups include innovative young women's accommodation services.

The rationale underpinning the consultation process is to promote a non-competitive, focused response to housing on a needs based level. The community consultation group has attempted to focus specifically on young women's housing needs as opposed to broad geographic or regional needs, thereby fostering a cooperative, community approach.

While the YWHG acknowledges the limitations that funding can impose the Group believes that these restrictions should not impede nor negate the importance of establishing well structured, adequately resourced housing options for young women.

Accordingly the YWHG has undertaken the task of applying for funds to establish an innovative, developmental young women's housing service. Submissions will be based in feminist principles and include a commitment to young women's participation.

## ISSUES IN LEGITIMISING THE NEED FOR A SERVICE

The decision to continue with the submission for a Young Women's Housing Service has highlighted issues such as:

- \* the existence of an oppressive degree of cynicism in the youth housing field regarding the ability to secure funding;
- \* the creation of more long term housing options for young women has been recognised as vital, however an immediate concern is to maintain commitment to developing adequately resourced needs based services;
- \* as trained housing workers we should not be exclusively directed by monetary concerns; our experience validates the call for needs based services for young women.

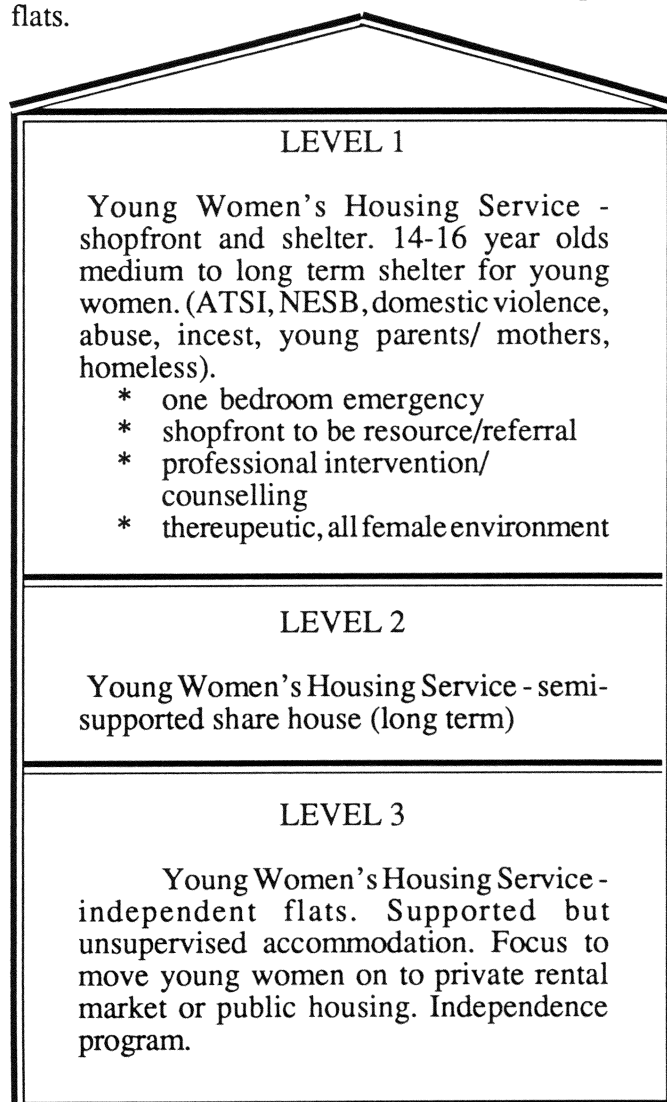
Brisbane is presently grossly underresourced in the provision of long term exclusively female supported accommodation services. In particular, services that provide intervention from the age of 14 through to independence do not exist. Time constraints imposed by funding guidelines are a major constricting factor which limit the success of intervention programs.

CAP and the Department of Housing and Local Government may be willing to provide housing stock, however SAAP appears reticent to match the money needed to employ staff and resources to establish a new service for young women. Should the cost of innovative housing programs continue to be dictated by available funds?

Every day in various ways young women ask for secure long term accommodation, with adequate resources to assist them in their pursuit of happiness, growth and independence. The YWHG believes it is the responsibility of professionals to address these issues constructively and not be delayed by funding inadequacies. The needs of young women should be the driving force for a continuing demand for services, not the dictates of funding bodies.

## THREE TIERED SERVICE

The YWHG aims to develop a three tiered developmental process of intervention in an all female supportive environment. Young women may enter the service through the young women's supported accommodation service, a share house or independent flats.



The YWHG will submit for the full three tiered service taking into consideration that priorities will need to be established due to funding restrictions. The service may begin with the YWH shopfront similar to a model established in Victoria. The role of the shopfront would be to create public awareness of young women's housing issues through holding YWHG meetings, dissemination of information to young women and continuing to lobby for funds to secure adequate housing options for young women in Queensland.

## REPRESENTATION

The YWHG currently has a core representation of women from the following agencies:

- \* Zig Zag Young Women's Resource and Referral Centre
- \* Youth Housing Project
- \* The Lodge Youth Support Service
- \* Women's House
- \* Migrant Women's Emergency Support Service
- \* Bayhloo Aboriginal Young Women's Shelter

## FUTURE DIRECTIONS

Continuing priorities of the YWHG are to involve young women in the development and decision making process of the group and the facilitation of information, seminars and workshops on issues pertaining to young women and housing.

The YWHG is committed to cross cultural development and participation, regional and statewide sharing of information and promoting women's activities in a supportive environment. Broad aims which have been formulated to date include:

- \* to develop a young women's housing service
- \* to link and network with other cities / states
- \* to focus on the acquisition of funds for more services
- \* to establish working parties to concentrate on specific issues
- \* to encourage young women to participate in the group.

The future of the YWHG depends upon the support and commitment of individuals and agencies. If you would like further information please contact Sally Watson at Zig Zag on (07) 843 1823 or Cathy Beadnell at the Lodge Youth Support Service on (07) 2662155

## TIRED OF BEING STRUNG

its not just money  
and food to eat  
we need warmth and shelter  
we need to get off the street

we don't expect handouts  
we fight for our keep  
but its hard to hold a job  
when you live on your feet

can't afford meadow lea  
to make things right  
we drift every day  
and toss and turn every night

we weren't born helpless  
we weren't born poor  
we deserve more than just  
kicking in closed door after door

some have been abandoned  
some have been abused  
there's more to life to life  
than feeling wrung out and used

some play the market  
others jetset  
we're trying our hardest  
to stay out of the wet

but the system's always right  
so we must be to blame  
but we haven't passed go  
can we ever win the survival game ?

we don't want pity  
we do want an ear  
we want the government to listen  
its all to simple and clear

we're tired of empty words  
we're tired of being strung  
we want housing provisions now  
for old and for young

we're not a disease  
which you hope will go away  
we're you're sisters and daughters  
and we're here to stay

Ruby Stone

# ANTI-DISCRIMINATION LEGISLATION: IMPLICATIONS FOR YOUNG PEOPLE

The following discussion paper by the Youth Affairs Council of Australia (YACA) is of particular relevance at this time in Queensland. In April 1991 the Queensland Department of the Attorney-General released an *Information Paper outlining a Proposal for the Introduction of Anti-Discrimination Legislation in Queensland*. Section 16 of the Information Paper proposes that:

*It will be unlawful to discriminate on the grounds of:*

- \* sex, marital status, pregnancy and parenthood
- \* race
- \* physical (including sensory), intellectual and mental (psychiatric) impairment
- \* religious and political belief
- \* age (our highlight)
- \* trade union activity.

Section 18 outlines the areas in which discrimination will be unlawful under the proposed legislation. These are:

- (a) *employment and other relationships which are in substance employment for example, commission agents, contract workers and partnerships.*
- (b) *areas incidental to or conducive of employment, for example, professional and trade organisations, qualifying bodies, employment agencies.*
- (c) *education*
- (d) *provision of good and services*
- (e) *access to places and vehicles*
- (f) *land*
- (g) *housing and accommodation*
- (h) *clubs*
- (i) *functions/powers under State laws and programs.*

The Paper then outlines 51 areas which will be exempt from the provisions of the proposed legislation. The extraordinarily large number of exemptions and their potentially broad application is cause for concern. Of particular relevance are the following employment exemptions, identified by the number they carry in the paper.

## *Employment Exemptions*

- (1) *The employment is in the employer's own home;*
- (10) *Youth wages.*

The proposed exemptions have significant ramifications for young people. Employment Exemption (1) is inappropriately broad. Many young people (among others) are employed in private homes. Their social status and place of employment renders them especially vulnerable to exploitation and discrimination. Moreover, a substantial business may be run from an employer's home. It would appear that, under the proposed exemption, even such a substantial business would not be subject to the provisions of the legislation.

Of even graver concern is Employment Exemption (10) which simply states that "Youth Wages" are exempt from the proposed legislation. It is likely that this exemption is intended to refer to youth wages as identified in various industrial awards (although this is not made clear). This is despite the fact that, later in the proposed legislation, General Exemption (6) provides that "(a)cts done in compliance with awards of industrial tribunals" are exempt from the legislation. Thus General Exemption (6) specifically allows for the application of youth wages as identified in industrial awards. Employment Exemption (10) is not necessary for this purpose.

Employment Exemption (10) may therefore be more significant in relation to the employment conditions of young people who work under an industrial award which does not specify a "youth wage", or whose work is not covered by any award at all. A blanket exemption of "Youth Wages" leaves the way open for arbitrary wage discrimination against young people in these situations. Moreover, "youth" is not defined in the Information Paper, leaving open to interpretation the class of people against whom it is permissible to discriminate in this fashion.



Thus Queensland's proposed anti-discrimination legislation does nothing to redress the discriminatory effects of youth wages and, by including Employment Exemption (10), renders itself inflexible to industrial and social reform in this area.

Yet debate on this issue is not new (see Hartely, 1989) and the ACTU has, in recent years, advanced a convincing argument against "youth wages". The following discussion paper restates and builds on the ACTU argument, revealing the specious nature of the principles used to justify "youth wages". Its publication is intended to assist development of debate surrounding this issue in Queensland.

## AGE DISCRIMINATION AND YOUTH INCOMES

Using age as a criterion of a young person's physical and mental abilities has resulted in young people being paid a significantly lower rate of pay or benefits simply due to the fact that they are young.

Age, as a form of discrimination has been used by government and non government agencies, as a simple means of establishing a person's needs and desired abilities. The Federal Government in particular has policies for young people which reinforce this discrimination. Youth wages is one, and welfare benefits is another.

The youth wage is an age-based award. It is an outdated wage fixing principle which assumes that workers under the age of 21 are financially supported by their families. This assumption is being pursued by the government in its many policies, particularly in its bid to increase retention rates at school in order to "skill the nation" and in order to shift the responsibility of welfare from the State back to the family.

This assumption has one major flaw - it assumes that "the family" is alive and well. The traditional nuclear family is quickly ceasing to comprise the majority of

***An Information Paper outlining a Proposal for the Introduction of Anti-Discrimination Legislation in Queensland was released in early April and comments on its contents were required by April 25 1991.***

**The Youth Affairs Network of Queensland and the Youth Justice Coalition prepared a joint submission commenting on a number of areas relevant to young people, employment being just one of them. Our submission also called for the Information Paper to be re-released widely with a longer period allowed for comment. This is crucial, given the complexity and significance of anti-discrimination legislation. (A copy of the Information Paper may be obtained from The Attorney General, GPO Box 149, Brisbane 4001.)**

households (Mass, 1990). There is a presumption in policies that young people are linked to and with an existing family network that is willing and able to support and provide them with economic assistance.

The policies do not take into consideration the concerns and difficulties faced by families not able cope with the increased burdens they are subjected to, as a result of the

increased economic dependence of their children. The assumption that the family is capable of supporting young people on social security and educational benefits (Austudy), and those receiving youth wages, has also neglected to address those young people who are living away from home and still financing themselves independently, and those who are still required to contribute financially to the family's income regardless of whether they are living at home as a "dependent" or not (First National Youth Affairs Congress Notes, 1988).

Not only do these policies assume private support, but they also assume that young people have a lower cost of living. It should be recognised that young people, irrespective of age, have specific income needs due to their particular circumstances and that they may require additional support in establishing their dependent status in society (Youth Affairs Council of Australia, 1988). Lower social security and educational benefits, and youth wages, for those who are classified as 'young', only serve to inhibit the growth and development of independent and responsible community members.

For those who are on unemployment benefits or for those under 18 years of age, on Job Search allowance, the income received is below the Henderson Poverty Line. It is these young people who can be easily trapped in poverty for the rest of their lives, as income support structured inappropriately as it is on age, currently acts as disincentive for education and training and adversely affects other conditions of life for young people, such as health and housing. As it stands, being unemployed offers no real opportunity for self-support or - sufficiency. It gives no satisfaction, there is no means to an end, it lowers self esteem, it diminishes hope for an opportunity to make something of oneself, and it offers no career path at all.

There are many anomalies that exist in regard to minimum age qualifications, both in Commonwealth legislation, and State legislation. In both Commonwealth and State legislation 18 is the age at which a young person is classed as an adult. At 18, a young person is covered by all the laws which affect the govern adults. Commonwealth legislation allows an 18 year old to vote, to drink alcohol, and to get married. State legislation governs; when one can have sex, when one can begin to learn to drive, and when one can buy cigarettes. The age criterion varies from state to state. With this it must be asked why the government can view on the one hand an 18 year old as an adult, but on the other, refuse to pay benefits and wages equal to adults. Here it would seem convenient for the government not to acknowledge the fact that they have the same living costs. The government expects 18 years olds to be governed by the law of adulthood, yet will not recognize that an 18 year old has to pay the same for goods and service as an adult. There must be scope made for reconsidering minimum age qualifications, with particular emphasis being placed on qualifying 18 years of age as the age of adult status and therefore the right to receive adult wages and benefits, and thus adult independence.

The Youth Affairs Council of Australia recommends that young people aged 18 years of age, be classified as adult, with adult responsibilities, and therefore the right to receive a wage and income benefit adequate and equal to adults. The ACTU support this as they believe that 18 should be the bench mark for adult status in our society and that the unemployment benefits for 18 years olds be restored to an adult level (Maas, 1990). Schooling, training and work experience should also be offered, to compensate for low and inadequate levels of assistance.

For those 16 and 17 years old, it is recommended that they receive an adequate level of income, and that they receive particular attention which focuses on providing them with schooling, training, or work experience which will be relevant to the labour market. Schooling, training and work experience must be monitored to ensure that these young people are receiving worthwhile and an appropriate form of training, as so often this form of assistance is wasted because they are trained in areas unsuitable for the highly competitive labour market. This form of assistance is on way to compensate for the little income assistance that they receive due to them being of a young age. It is also recommended that industry play a major role in setting up and supporting programs designed to train and educate the unemployed into constructive and positive career paths pertinent to the labour market. Industry itself would be familiar with what it needs for its future labour market and therefore is appropriate for the implementation of such a program. Those industries responsible for the training of the unemployed will perhaps then be more keen to accept

and employ those that are trained and skilled, into their labour market field. (Any program for this nature would need to be monitored and regulated by the Government).

There is also the argument surrounding 'youth wages'. This is an award system which has left many young people living below the Henderson Poverty Line.

**In 1985 it was estimated that 40% of full time workers under the age of 21 received incomes lower than the Henderson Poverty Line, and that more than 90% of full time workers were in the lowest quarter of all income recipients (Scott, 1989).**

The labour market has changed dramatically and there is little room for those who do not possess any real skills. The ACTU has adopted a policy where junior rates of pay would be abolished and replaced with training rates attached to worthwhile training programs. In essence the ACTU is promoting payment according to the value of work carried out by young workers (Maas, 1990). The ACTU believes that employers would take much of the responsibility for the social crisis faced by hundreds of thousands of young people in Australia. The ACTU suggest that it is the pathetically low wages paid to young people that is pushing those - who are becoming independent from an early age - into desperate circumstances. The trade unions recommend that 'youth wages' be addressed as a priority issue in award restructuring. The ACTU propose that to rid the sub-standard junior rates of pay, is one form of intervention, which would help prevent young people from falling into poverty.

The ACTU states that:

*The only justification for the payment of less than adult rates to junior employees, lies in the provision by employers of appropriate training for young workers (whether by apprenticeship or otherwise).*

*Accordingly, the ACTU will encourage unions to work towards the removal from awards of junior rates except where they are accompanied by a clear obligation on the employer to train unapprenticed juniors in appropriate skills which would warrant progression towards adult rates in that award.*

*In the absence of such training, awards should not contain junior rates. (ACTU, 1987)*

Age Discrimination and Equal Opportunity legislation proposed by the Equal Opportunity Commission in Western Australia, (BILL being put before Parliament), contends that youth wages are an issue which should remain within the arbitration process and should be exempt from age discrimination legislation (Gains, 1989). The N.S.W. Working Party on Age Discrimination (1989), suggests that labour market practices, awards and conditions be reviewed to remove age-related restrictions, where appropriate, and special consideration be given, to youth wages. The Working Party noted that a comprehensive nondiscriminatory wage system would imply the replacement of the youth wage rate with a 'training wage' - on the grounds that the principal rationale for a discounted wage would be training commitment which would be required from the employers. However, they did recognize problems in regards to industries currently employing large numbers of juniors in positions where the actual training component is minimal.

The Confederation of Australian Industry and the National Employers' Industrial Council believe that 'youth wages' are too high. They suggest that young people are of necessity less experienced than adults and are often less skilled, and that they need some other advantage to give them access to the jobs that they want. They suggest that once they have worked they will have experience and will have developed workplace skills that can be usefully applied in a range of environments. The high level of youth wages is stated as being one of the factors contributing to unemployment amongst young people in Australia.

Here the Confederation can be seen to support the argument that if youth wages were equal to adult wages relative to equal work; then adults would be preferred over young people, and thus youth unemployment exacerbated. This simply illustrates the misconception by many, the young people produce an output of less quality and productivity, and, that employers are only able to employ young people, because they can afford to pay youth wages.

The labour market however, is too complicated and specialized to simply offer young people 'youth wages' in order for them to gain employment. Youth wages are of no benefit to the young person if there is no worthwhile training offered.

**Youth wages without adequate training offer little more than cheap labour for employers. Therefore youth wages can be seen as an unacceptable form of age discrimination, and that the principle of 'equal pay for equal work of equal worth' should apply in relation to age as it does to other grounds.**

On this basis, it would be acceptable to discriminate if people differ in their productivity, which of course would apply to any worker learning a new occupation (Law Reform Commission of Victoria, 1990).

If youth wages are applied then it would only be acceptable to compensate youth wages with the difference in payment to adults, being spent on training and educating the young worker. This training however would need to be directly related to the job involved, or beneficial to promotional opportunities within the same company or directly to the labour market. In effect, the company will be investing in the young worker's future and thus less likely to dismiss the young worker once she/he reaches an adult wage, or when 'times get tough'.

If youth wages remain in place, it should also become illegal to discriminate by dismissing an employee simply because they have reached an adult wage. This would particularly apply to companies which have high youth employment. As it is recommended that 18 become the benchmark of adult status, and thus the time when adult wages should be paid, it should then become illegal to dismiss an employee simply because they have turned 18.

If youth wages are still in place, and if social and educational benefits are still based on the assumption that young people have lower living cost, it would therefore only be right that concessions apply to all those receiving an income lower than the minimal adult wage. This would, if 18 is the benchmark for adult status, apply to all young people under the age of 18 years. Concessions should apply to all goods and services which are essential to the everyday living of a young person. A reasonable concession would be valued at half that of what an adult would be expected to pay.

Youth wages are at present unacceptable, and training and skill formation is needed to compensate for the lack of income. A wage structure linked to the attainment and use of skills, which provides a link between skill level, productivity and career prospects, would be an important element in improving incentives for employees to undertake training, and would be adequate to compensate for the limited amount of income that young people receive.

Training is essential for the development of skills required by the competitive and highly specialized labour market. It therefore is also essential that vocational training be made available to all young people on a wide scale through traineeships and apprenticeships.

Training should be directed and coordinated into a system which would produce tradespeople with the range of skills required and used by technologically advanced industries. Training is a long term strategy,



which will enable the young person the ability to participate in the competitive labour market.

The apprenticeship system has played a major role in skill formation for young people. Apprenticeships currently provide employment for over one third of all school leavers who find employment (Ministry for Employment, Education and Training). There is an implicit and historical expectation that apprenticeships should be restricted to school leavers, especially during times of high unemployment. Workforce participation by young people can be attributed to their perceived inability to compete with other workers because of their little experience and lack of skills and qualifications. This is why it is particularly disturbing to find that an increasing number of industries, like the growing service sector, are not adopting traditional methods of training school leavers - via apprenticeships, traineeships, on the job training, or cadetships - but instead are employing workers with readymade skills, like graduates and women re entering the workforce. Nursing is one typical example of this shift. Young people are therefore entering the secondary workforce (casual and part time) where they acquire limited durable skills.

An Apprenticeship is one form of training which has been developed and offered primarily to young people. Apprenticeships therefore should remain only open to young people. If age discrimination legislation opens the door for all to apply for apprenticeships, youth unemployment will increase. It will limit young people's access to training, and will lead to a number of young people being clustered and restricted into industries and occupations which are typically at the bottom of hierarchies in relatively unskilled areas, and very often casual and part-time employment. Young people already have difficulty in participating in the workforce, due to their lack of formal qualifications and experience. To open this opportunity to all ages will be detrimental to the career prospects of many young school leavers.

If age discrimination legislation allowed all age groups to participate in apprenticeship schemes, then there should be a significant increase in the number of positions available. A certain quota should be made available to young people (equal to and certainly above the number of positions already available), particularly early school leavers, as this is one of the few opportunities that they will receive which will enable them to have competitive skills in which they can use to participate in the labour market.

Youth unemployment is high. It is hard for young people to compete for jobs because they do lack skills and experience. It would therefore also be detrimental to young people's employment prospects if Age Discrimination legislation makes compulsory retirement illegal. WA and NSW proposed Age

Discrimination Legislation recommend that compulsory retirement, on the basis of age, be unlawful.

The retirement age is specified by many industrial awards, agreements or contracts between individual or firms. It is also specified in a number of Government Acts. Retirement age is generally accepted at 60 years of age, and not over 65 years of age. This retirement age reflects policy and decision-making by governments in their commitment to encourage youth employment. It has been used traditionally in the past as a convenient mechanism for achieving labour turnover. This turnover allows for promotion and the introduction of new workers, beginners, young people. Therefore it is recommended that retirement remain compulsory, so as to encourage labour turnover and youth employment.

With the ageing population it has been suggested by many that with the move by the baby boomers into retirement, there will be more employment opportunities for young people. This has yet to be seen and thus it is suggested that compulsory retirement be re examined in 10 to 15 years, as it will be at this stage when a clear indication of the labour market in terms of youth employment will be gained.

There are many issues in age discrimination. This paper touches on just a few. There is much debate about age discrimination particularly in regard to the 'aged'. Young people appear to not to fare too well in proposed legislation, perhaps because little is heard or asked of young people, in regard to proposed age discrimination legislation. This is why it is recommended that an Administrative mechanism, with appropriate credibility and profile, be set up to address young people. A Commissioner would need to be established to address and involve young people in the decision-making and the analysis of the moral and economic arguments of 'age discrimination' legislation and to explore anomalies....

### ASSUMPTIONS MADE OF YOUNG PEOPLE:

There is an assumption by many government and non government agencies that young people have a lower cost of living than adults.

There is the assumption that the family is ideologically alive and well, and willing and able to financially support their children until they reach the age of 21 and in some cases 25.

There is the assumption that young people want to remain financially dependent upon their families.

There is an assumption that age is a suitable criterion for establishing one's mental and physical abilities, and one's needs.

## AGE DISCRIMINATION

18 is recognized by both Commonwealth and State legislation to be that age of adulthood, yet 18 year olds are not paid wages nor benefits equal to adults.

There are many situations where those who are under the age of 21 are paid youth wages and those over 21 are paid adult wages, for doing equal work of equal worth.

When an employee reaches the age of 21 she/he is often dismissed or their hours are cut severely, simply because the employer does not wish to pay them adult wages.

Young people are expected to receive youth wages while at the same time expected to pay fully and equal to an adult, for goods and services.

Programs such as Skillshare are funded by outcomes, quantity not quality, and thus those who are more employable are more likely to receive attention, and therefore those who are less employable, that is more often than not young people, are less likely to be assisted in finding a job.

The Federal Government in the next budget, plan to cut out the unemployment benefit to those under the age of 21. This is reinforcing all the assumptions discussed above.

### PROPOSED AGE DISCRIMINATION LEGISLATION THAT WILL AFFECT YOUNG PEOPLE

The removal of compulsory retirement will stagnate labour turnover and thus exacerbate the number of unemployed young people.

Giving the right for everyone to participate in trainee schemes and apprenticeships, will result in less opportunities for young school leavers to gain worthwhile training for the competitive labour market.

### RECOMMENDATIONS TO OFFSET DISADVANTAGES FACED BY YOUNG PEOPLE THROUGH AGE DISCRIMINATION

Youth wages should be replaced with a training wage, which offers worthwhile training which is adequate to meet the needs of the competitive labour market.

If youth wages are not replaced with a training wage, then youth wages should be removed, and the principle of equal pay for equal work of equal worth should apply.

18 should become the benchmark for adult status, and therefore the age at which young people receive adult wages and or benefits.

Concessions for goods and services should therefore apply to all those receiving youth wages, and benefits, that is at present, all those under the age of 21 years.

Compulsory retirement should remain, and reviewed in 10 to 15 years time.

Apprenticeship and trainee schemes should remain open only to young people, unless there is a dramatic increase in the number of positions made available. With this, a certain quota must be made available specifically for young people.

Training should be focused and directed towards the highly competitive labour market.

An administrative mechanism set up to review age discrimination, should incorporate a body which focused primarily on young peoples needs and rights.

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# JUSTICE FOR JUVENILES

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**HELEN RENNIE AND HELEN BETTS**  
**YOUTH JUSTICE COALITION**

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The current Children's Services Act (1965) is being reviewed by the Department of Family Services and Aboriginal and Islander Affairs (DFSAIA). The Policy Unit of the DFSAIA has been developing this legislation since the early 1980's and in October 1990 was given approval by State Cabinet to formally draft the new Juvenile Justice Bill.

As part of this re-think in relation to juvenile offenders, the DFSAIA are also implementing a primary crime prevention program. This Bonnemaison style of crime prevention recognises the connection between young people offending and social and economic disadvantage.

These reforming strategies have been developed in consultation with the community sector. Mid 1990 saw preliminary consultation regarding the Juvenile Justice Bill. This consultation was limited to closed discussion by select groups. At that time it was hoped that more feedback would be called for early in 1991. To date this has not occurred and it is thought that when

the DFSAIA does revise its time frame the second round of consultation will happen swiftly. It is for this reason that the community sector needs to discuss and debate these issues on a regional level.

This article is written to pass on information about these new strategies and invite groups with an interest in justice for young people to have input through the Youth Justice Coalition to any consultation process that may occur. The Youth Justice Coalition is a state wide network of workers in the justice field with an interest in the plight of young people.

## THE LEGISLATION

The old Children's Services Act (1965) will be split into three bills: the Child Protection Bill, although of importance, is not a priority of the Coalition at this time as we have not had input into this consultation process.

The approval for the Children's Court Judge needs to be made before the Juvenile Justice Bill can go ahead. These two Bills need to go hand in hand to ensure appropriate implementation of the new legislation.



The Juvenile Justice Bill will provide a basis for the management of young offenders in Queensland incorporating many new features that are outlined below.

## KEY FEATURES OF THE JUVENILE JUSTICE BILL

### 1 \_\_ PRE-COURT DIVERSION - POLICE CAUTIONING

— This strategy has been used in Queensland for a number of years. It was originally an initiative of the Juvenile Aid Bureau to divert first and second time offenders from the court process. Although this is already in practice the legislation will formalise this process and officially recognise it as an alternative to prosecution.

### 2 \_\_ POLICE QUESTIONING

— There will be an increased emphasis on the importance of the role of independent persons at police interviews. The court will not be able to admit confessional evidence from a young person unless there was an independent person present.

### 3 \_\_ FINGERPRINTING ETC. OF YOUNG PEOPLE

— The legislation will provide guidelines and limitations to these procedures. The destruction of this information will follow in the case of a

verdict of not guilty. Currently these practices are used indiscriminately and are seen as part of a 'highly criminalising process'.

### 4 \_\_ SUMMONS/ARREST

— A new and simplified version of a summons will be contained in the legislation. This will allow for greater use of summoning rather than arresting. There will still be provision for the charging of young people particularly in regard to serious offences or if there is a risk of non-compliance with a summons. It is expected this change will decrease the amount of charging and consequently reduce the extent to which young people are exposed to the police processes of fingerprinting and photographing.

### 5 \_\_ PARENTAL RESPONSIBILITY OF YOUNG OFFENDERS

— Presently parents of young offenders can be ordered by the courts to pay compensation or restitution for offences that their young people commit. This will be continued in the new legislation although modified. This practice although not commonly used is passing the responsibility of young people's offending on to their parents. In situations of family dysfunction or disadvantage this can add pressures to an already existing problem. This issue needs to be discussed further with communities and families to ensure that parents are not being "punished" for young people's actions.





One of the few legal services in Brisbane aimed specifically at young people

These orders are vastly different from the current ones available to the courts. The object is to allow for an appropriate sentence to be matched specifically to the young person. For this matching to take place there needs to be some development of community based corrections. At present the only course of action appears to be either fine or detain young offenders. The DFSAIA at present has no community based correctional infrastructure. This

## 6 — SENTENCING OPTIONS

— The new Juvenile Justice Bill will allow for a continuum of sentencing options. They will range from non-custodial unsupervised options through to custodial and ancillary orders. Options, it is expected, will include:

### NON-CUSTODIAL UNSUPERVISED OPTIONS

Reprimand  
Good Behaviour Order  
Fines

### SUPERVISED NON-CUSTODIAL ORDERS

Community Service Order  
Probation

### CUSTODIAL OPTIONS

Immediate Release Order  
Detention

### ANCILLARY ORDERS

Restitution/Compensation/Reinstatement of Property  
Forfeiture/Destruction of Property  
Licence Disqualification/Prohibition From Obtaining  
Driver's Licence

### ORDERS OF SERIOUS OFFENDERS

Probation  
Detention

infrastructure needs to be developed if the practice component to any legislative change is to be made effective. The limited document-ation on the Juvenile Justice Bill distributed by the DFSAIA does not include any dis-cussion regarding implementation or how the new legislation will look on the ground.

## CRIME PREVENTION

An Interdepartmental Committee (IDC) on Youth Affairs has for some time been investigating the development of a crime prevention strategy in Queensland. This strategy will be broadly based on the Bonnemaison program in France. The program, which started 10 years ago in France after a report was submitted about juvenile violence and crime, is based on the principle that there are causal links between crime and social and economic disadvantage.

Two States in Australia have implemented these strategies. The Good Neighbourhood Program in Victoria and the Confronting Crime Program in South Australia have provided a number of principles for successful implementation. These include:

- \* Involvement by community at all levels;
- \* Involvement by young people in the development of the program;
- \* Support from all political groups;
- \* Evaluation must be ongoing from the implementation stage;
- \* The program should not be hosted by the police department or any other Government body that has statutory responsibility for young people.

It is hoped that a standing committee will be established that will represent both Government and Community. The role of this group may be to:

- \* promote the program
- \* provide direction and information
- \* assess submissions
- \* approve program funding.

The Youth Section of the Division of Community Services Development: DFSAIA has assumed responsibility for the ongoing development at implementation of such a program.

### IMPLICATIONS FOR THE FUTURE

The concern of the Youth Justice Coalition is that up to the present time there has been no public consultation regarding these new Juvenile Justice strategies. The Community Sector is a key partner in the development of any new strategies for young people.

It is also the concern of the Coalition that in a recent article in The Sun newspaper, Brisbane, dated 3 May 1991, the Minister for the DFSAIA, Ms Anne Warner, spoke of the changes to the Juvenile Justice legislation in terms of a "crackdown" and that "Juvenile criminals could soon be living under a regimented timetable or doing a stint in a detention centre."

This "law and order" rhetoric embraced by the Government can only be to the detriment of any real gains of any changes to legislation. Will we see more detention centres built or more proactive, community based services for diverting young offenders from the juvenile justice system?

It is time to consider what impact these programs will have on young people, our agencies and our communities. Consultation is needed and the Community Sector needs to be prepared. The establishment of groups within local regions is needed to discuss the changes in the juvenile justice system and to formulate questions and alternatives that can be fed into the Government hopefully through the consultation process. If this consultation process does not occur within appropriate time lines then we need to ensure that our voice is heard.

**If you would like to receive more information or would like to be involved with the Youth Justice Coalition please write to the Youth Justice Coalition, PO Box 116, Fortitude Valley 4006 or phone Lawrie Moynihan on (07) 208 8199.**

# IDEOLOGY AND ETHICS IN YOUTH WORK PRACTICE

**CHRIS BROWN**

## INTRODUCTION

The problem of addressing two very complex issues such as ethics and ideology in half an hour is obvious. Consequently, I am going to be making some statements and assumptions which would normally require some form of explanation and justification. I intend to develop a line of argument which proposes a means by which the youth affairs field can deal with the issue of ethics in youth work practice. I would ask you, therefore, to allow me to make these unsupported assumptions for the purpose of developing the argument. I would be happy to follow-up any issues with you at a latter stage.

Ethics is about judging action, about making judgements of right and wrong, on the basis of some clearly identified criteria. The basis of these judgements then guide our behaviour and action. Not a difficult task if we have a clear way of knowing beyond doubt what is right and what is wrong. All we would need to do would be to identify those absolute right and wrongs and presto - we have a clear ethical framework over which there could be little argument.

Unfortunately, the problem for us is that absolutes of right and wrong either do not exist, or we have lost the capacity to know those absolutes. This makes our task of addressing the issue of ethics, rather than easy, an extremely difficult one. It follows, therefore, that what we require to be able to adequately address the issue of ethics in youth work practice is, in the absence of absolutes, a means of being as certain as we can be, and as confident as we possibly can be, that a given course of action or behaviour is either 'right' or 'wrong'. I am proposing that ideology provides that means.



## THE ISSUE OF ETHICS

The way in which the youth affairs field has attempted to deal with the issues of ethics to date leaves a lot to be desired. It is unfortunate that the focus of many ethical considerations have been in terms of the obvious "big moral issues" - Should a worker have sexual intercourse with the young person they are working with? Is it legitimate for youth workers to smoke dope around young people they are working with or even aid them in their drug use? The temptation is to develop a listing of the obvious ethical or unethical behaviours and to work from that point. It is not surprising that the list doesn't get very far before the disagreements set in, resulting in the whole issue being placed in the "too hard basket". Issues surrounding ethics in youth work practice have been discussed and debated for at least the last fifteen years and probably longer, yet we are no nearer a process for dealing with the issue than we were when the debate started.

My concern with the way we have approached the issue of ethics is that it provides no basis for having confidence that a given course of action or behaviour is ethically appropriate or inappropriate. By confidence I mean a certainty of mind that we have addressed all the ramifications from a thought through basis and that our decision is defensible and justifiable. For example, in essence the issue is not whether sleeping with a young person is ethically right or wrong but rather what defensible and accountable basis we use to arrive at that ethical conclusion. It is obvious that we need to address the issue of how we get to an ethical position before we can address what that ethical position is - the means rather than the end.

Therefore, I would suggest that any attempt to arrive at a definitive list of ethical right or wrongs for the youth affairs field, is not only doomed to failure, but in itself is 'unethical'. A process as described above would make the need for a statement or code of ethics obsolete. Let me attempt to put this into a youth affairs context.

For a start, most youth work practice is attempting to address a "wrong". We work with young people who are in a position where their personal lives are negatively impacted on by certain economic, social and political circumstances. Issues such as unemployment, homelessness, lack of real power, violence, sexism, racism, ageism - and so the list goes on. As these are ethical issues, youth workers cannot avoid dealing with the ethical basis of their work.

To me one of the most critical ethical issues for the youth affairs field is the clarity with which youth

workers know what they are doing, and the skills and knowledge base they have for achieving this. I would suggest that more 'harm' has been done to young people by workers not having clarity of direction and the skills to carry this out, than any other single ethical issue.

Even after fifteen to twenty years, possibly longer, as a field we still have difficulty expressing with any confidence or depth what the role of youth work is, what direction we are heading in the field, and what we as youth workers are really trying to achieve in the long term and in the 'big picture'. Until we can do this I think the most critical ethical issue for the field is still left unresolved. So what can we do about it? Enter ideology as a means of providing a basis for youth work practice.

## IDEOLOGY AND ETHICS

Ideology is a term which, unfortunately, elicits a negative response. Apart from those who see the value of an ideological basis to action, other common reactions include statements like:

"What the hell is it anyway? and what could such a pretentious word have anything to do with real youth work?"

Or it elicits an anti-intellectual response, based on a mentality which sees youth work as little more than befriending young people.

**Notions such as "youth work should not be political", "theory is a waste of time" and "all you need to be a good youth worker is the capacity to get on well with young people", are still common in our field. As long as these views dominate we will never move ahead.**

This anti-intellectual/anti-ideology position would recoil at the notion of a theoretical basis to our work and hold that theory has no role to play in youth work practice. Let me attempt to briefly dispel these myths.

Firstly, ideology is not just in the realm of theory and academic philosophising. Ideology is as vital to youth work practice as any other skill which a youth worker requires to do their job. In fact skills, without ideology to guide how those skills are used, can be dangerous. There is not a lot worse than a skilled person who doesn't know what they are doing.

Secondly, no matter what we call it, ideology is a means, and I believe the only consistent means, by which we can be clear about what we are doing as youth workers, why we are doing it, how we are doing it, and what it is we are actually trying to achieve. Ideology provides us with a framework to approach these questions with a minimum of contradictions.

## SO WHAT ACTUALLY IS 'IDEOLOGY'?

Ideologies are a tool, not a prescribed dogma, which help us to analyse the issues we face on a daily basis - regardless of whether these issues are concerned with direct work with individual young people, the way we organise and operate our agencies, or the way we go about contributing to the development of youth policy. Essentially, ideologies allow us to do three things.

- 1) Ideologies allow us to explain how we see issues and develop comprehensive critical analyses of why things seem to be the way they are.
- 2) Ideologies also help us to clearly see what it is we are trying to achieve and striving towards. They enable us, not just to see what the problems are, but to see a way out of these problems towards some clear goal.
- 3) Finally, based on the above, ideologies give us very clear directions for action. Strategies and programs come out of the use of ideology as a tool for analysis.

In other words, ideologies help us to see what things are like now, how they should be, they enable us to develop effective non-reactive arguments and they give us clear directions in which to head. Above all ideologies give us confidence in what we are doing.

There are a number of essential characteristics of an ideology which are worth pointing out here.

- 1) Firstly, an ideology, to be considered an ideology must be acted on. That is, there must be an action component. Ideology without actions is little more than a "nice" philosophy.
- 2) Secondly, ideologies must be public. They must be able to be clearly seen and understood by whoever wishes to understand them. The young people we are working with have a right to know the ideological persuasion of the youth worker.

- 3) Thirdly, ideologies are not static, they are dynamic. It is probably true to say that there is no such thing as a fully developed ideology. Ideologies should, by their very nature, be in a constant state of review and refinement, modification and assessment based on the experiences of action.
- 4) Fourthly, an ideology held by an individual should form part of wider network of ideological commitment. In a sense I am saying that ideologies are not individual property, they are and should be collectively held.
- 5) Finally, as a result of the above points, ideologies are accountable. The process of accountability occurs through the fact that if the ideology is held collectively, and the ideology is publicly declared, then a process of checks and balances will occur naturally. Our actions will always be open to scrutiny and assessment and can be easily judged against our stated ideology.

Thus the connection between ideology and ethics. Ideology provides a basis for action which, as much as possible, is open to assessment and review, including assessment by our peers. It also provides us as workers with a basis for our action which is explainable and accountable.

It is irrelevant what name we give the above process - whether we call it ideology, philosophy or just plain common sense - the process must be present to guide our action. In fact, I would go as far as to say that any action which is not based on the process I have just described, or a process which provides an equivalent outcome, is unethical regardless of what that action is. The action may be as righteous as they come yet it can still be unethical. There is much 'good work' which goes ethically unchallenged in our field because it is seen to be 'righteous' and therefore beyond challenge.

## DEVELOPING A FIELD WIDE IDEOLOGY

There are examples of our field attempting to form a justifiable basis for its actions. I would like to outline two examples for you.

The first example originated in Adelaide, not far from here at the first National Youth Workers Conference in 1977. It involved a statement which was put together by a group of eight people, with the aid of some rather delectable red wine, in a restaurant called "Jaspers". The resulting document, accepted by the Conference, was called the "Jasper Declaration". It read like this:

*We confess that as youth workers we fail to act as initiators of social change and in effect we are just reactors to circumstances dealing with 'bandaid' situations, that often just help in preserving the status quo structures. We confess that we are content to deal solely with the casualties rather than delving deeply into the cause of those casualties. We confess that we disregard the enormous limitations imposed on youth and often attempt to make youth content with the basic life situation, ignoring the conflicts which clearly exist by distracting them with some well-chosen structured spare time activities.*

*We seek a commitment to a new direction in the philosophy of youth work. We will no longer be content to offer programs which merely gratify immediate wants. We are concerned for the fulfilment of individuals over a total life span. We recognise that our commitment to this philosophy will operate within a local context. This legalised process will involve facilitating:*

- \* people to become aware of themselves and others in their community;*
- \* people to engage in human transactions with others;*
- \* people to think through issues (consciousness raising);*
- \* people to conceive contradictions, the level of manipulation and limitations of their local area and the scope of their power and the possibility for change.*

*The implications for this are:*

- \* that the changing of attitudes is more important than exclusively providing leisure pursuits;*
- \* that the process of 'bandaiding' will be challenged because it is perpetuating the present system and aiding its preservation;*
- \* that such a model will bring us into conflict with the existing structure of society and often the underlying philosophies of many of the youth organisations/agencies to which we belong;*
- \* that such conflict will involve risks and we must be prepared for the type of commitment that may involve costs in terms of economics, position, reputation, time, relationships etc.*
- \* that there will be for us disturbing confrontation with many ethical problems and questions; this confrontation will be particularly great in terms of our degree of compromise and participation in the operation of the system.*

*What we have experienced through this conference is this process in operation.*

Most of those involved in the writing of the Jasper Declaration over time moved into various senior positions in Commonwealth Government, State Governments and the non-government sector, and have been responsible for the development of policies and programs which directly contradict most, if not all, of the philosophy outlined in this statement.

What happened to the good intentions of working for young people, resisting the status quo, being part of the solution rather than the problem, suffering the consequences of holding such a philosophy, etc. 'Radical rhetoric is easy. We still have a tendency, fourteen years down the track, to find quick ready made solutions to the basis of our work.

This leads me to my second example. Several years ago the Youth Affairs Council of Australia produced a report called "Creating Tomorrow Today". This report suggested that the 'ideology' of the youth affairs field should be the empowerment of young people. Virtually overnight, this concept was grasped by the field right across Australia and embraced with an enthusiasm which has not been equalled.

The concept of empowerment was certainly not a new one. The youth affairs field, however, had suddenly discovered it. Empowerment became the instant mode of operation of almost every youth agency in Australia. Even government jumped on the band wagon. It almost got to the point where if you uttered doubts about some actions taking place under the banner of empowerment you were in danger of being burned at the stake as a heretic. Why was this concept so enthusiastically adopted?

My conclusion is that people involved in the youth affairs field, when asked what it was they were doing, what they working towards, how it was they were going to achieve it and what basis they used for making these decisions, were generally at a loss to tell you.

What the concept of "empowerment" gave the field was something tangible, that when confronted with questions of what are you doing or what is it you are aiming towards, or how are you going to do it - up came the banner of empowerment. It was an explanation which workers could comfortably hide behind. It's a pity that very few workers fully understood the concept of empowerment and I would suggest that more young people were disempowered during that period than were empowered.



Neither of these two examples, or many others which could be given, are examples of attempts by the field to develop an ideology of youth work practice. What they are examples of is a field devoid of ideological direction grasping at something with which to fill that void. However, it is not true to say that the youth affairs field (depending on how you define it) is completely without ideology. Ideologies do exist and can be identified as being influential in the youth affairs field. This ideological influence can be seen to fall into three categories.

First there are a number of ideological stances which have been deliberately fostered and encouraged as suitable ideological positions for the youth affairs field. Without wanting to rely on labels, these include areas such as Feminism, Socialism, broad left ideology and Christianity as an ideology, to name just a few. However, these only exist in pockets and are often marginalised.

There also exists, what for want of a better term I will call subconscious ideological influences. These include ideologies such as Individualism, Conservatism and Pragmatism. Although few workers would claim to be adherents to any of these ideologies, they are nonetheless very powerful influences over the nature of youth work practice in Australia.

**The bulk of the workers in the youth affairs field would not see ideological development as important in what they do on a day to day basis. Yet they are still influenced by ideologies in a way which should not be underestimated. The result has been the conservatism of the youth affairs field in the absence of a consciously developed ideology.**

More often than not, these ideologies are the same ones that create the negative circumstances which require youth work to exist. If this isn't an ethical issue then I don't know what is.

Then there is a third group. A group which claims or chooses, quite consciously, to be without any ideological direction and reacts quite negatively to any suggestion that our youth work practice should be based on ideology.

## CONCLUSION

Even though ideological influences can be identified in the youth affairs field, it is safe to say there is no youth affairs field ideology. There is no common basis for youth work practice. In fact, I would even go as far as to say that whilst some of the ideologies I mentioned earlier are complimentary, others are contradictory with the result that we work in a field which is in itself an inherent contradiction. Without some broad ideological commonality to guide and give direction to our collective work, that is, an ideology of youth work practice, we will continually meet with failure in trying to address field wide issues such as ethics.

We have a responsibility, as a field, to deal with the ethics issue as a matter of urgency, and exercises like this conference are extremely welcome. I would strongly suggest, however, that if we are to be successful we must address the issue of ethics wishing the context of ideology. In fact the way I have presented ideology is really suggesting that ideology and ethics cannot be separated.

I commenced this talk by saying that ethics is about judging action, about making judgements of right and wrong. In the absence of absolutes, ideology is the means by which this can be achieved.

**Chris Brown is currently the Training and Development Officer for the Youth Sector Training Council of the Northern Territory. Previously Chris was involved with the development of the Youth Studies Degree at the WACAE (now Ethic Cowan University). His speech formed the Keynote Address at the *Ethics and Standards in Youth Work Conference* organised by the Youth Sector Training Council of South Australia and held in Adelaide, 13-15 March 1991.**