

someone else to do so. This is usually called *victimisation*. *Harassment and victimisation are always against the law.*

11. What types of activities are covered by the discrimination laws?

The law protects you against discrimination and harassment in a lot of different situations. It is not exactly the same for each type of discrimination.

The laws on gender, race, sexual orientation and disability discrimination protect you against discrimination and harassment when:

- you are trying to get a job or an apprenticeship (including a part-time job after school or during school holidays);
- you are at work, in relation to how you are treated including the pay you receive;
- you are on work experience (even though you are not being paid);
- you are applying for or taking part in a training course that will help you get a job;
- you are looking for or getting careers advice;
- you are applying for a place or attending school;
- you are applying for a place or attending college;
- you are using services like shops, cinemas, leisure centres, banks or building societies etc. (these are only examples of services. It is not a full list.)
- you are using public services such as doctors and dentists etc.;
- you are trying to find a place to live.

The laws on religious and political discrimination are almost the same except for education. Only colleges and universities are covered by these laws but not schools.

The laws on age discrimination do not cover as many situations as the other discrimination laws. They protect you against discrimination when:

- you are trying to get a job or an apprenticeship (including a part-time job after school or during school holidays);
- you are at work, in relation to how you are treated;
- you are on work experience (even though you are not being paid);
- you are applying for or taking part in a training course that will help you get a job;
- you are looking for or getting careers advice;
- you are applying for a place or attending college.

It is important to remember that in relation to employment the discrimination laws protect you from your very first day at work.

12. What can you do if you think you have been discriminated against?

If you feel that you have been discriminated against in your job, at school or when using any of the services mentioned (e.g. when shopping, visiting the cinema etc.) you should contact the Children's Law Centre **as soon as possible** for advice. They will be able to help you with this and any other issues you have.

It is important that you **do not delay** in getting advice because if your discrimination complaint cannot be sorted out you may wish to complain to a tribunal or court. They have very strict time limits for receiving complaints. If you delay getting advice it may be too late to do anything about your complaint. The Children's Law Centre can give you advice about these time limits.

There is another organisation, the Equality Commission for Northern Ireland, which has been given a special responsibility for making sure that the discrimination laws are followed. The Equality Commission for Northern Ireland can also give you advice and information about your rights. Their address and contact details are given below.

Who do I contact for legal advice or information?



The Children's Law Centre
3rd Floor Philip House
123 - 137 York Street
Belfast BT15 1AB

Tel: 028 9024 5704
Fax: 028 9024 5679
Email: info@childrenslawcentre.org
www: www.childrenslawcentre.org

CHALKY Freephone Helpline 0808 808 5678
CHALKY Freepost 'CHALKY' BEL3837
Belfast BT15 1BT
Email: chalky@childrenslawcentre.org



The Equality Commission for Northern Ireland
Equality House
7-9 Shaftsbury Square
Belfast
BT2 7DP

Enquiry line: 028 90 890 890
Fax: 028 90 248 687
Textphone: 028 90 500 589
Email: information@equalityni.org
www: www.equalityni.org

This document can be made available in alternative formats and languages by the Equality Commission for Northern Ireland

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Do you know your rights about ...

Discrimination?



Under the law everyone, **no matter what their age**, has the right not to be discriminated against. There are laws to protect you against discrimination because of your gender (male/female), race, religion, political opinion or views, sexual orientation, age or if you have a disability. These are sometimes called the “discrimination grounds” and this leaflet explains what each of these mean and how you are protected. Discrimination laws can be very confusing and the Children’s Law Centre and the Equality Commission for Northern Ireland can advise you of your rights. There are details of both organisations at the end of this leaflet.

1. Gender Discrimination

The law says that you must not be treated worse simply because of your gender. The law also says that a woman or girl must not be treated badly because she is pregnant or has already had a baby. If this happens to you it may be against the law.

Gender discrimination law also gives protection against discrimination to people who have decided to have or who have already had a sex change. The phrase often used to describe this is *gender re-assignment*.

2. Race Discrimination

The law says you must not be treated worse simply because of your race, the colour of your skin, your nationality or ethnic background or because you belong to the Irish Traveller Community. Nor must you be treated worse

because you are connected to someone from a particular racial group (e.g. a school friend or relative). Discrimination for any of these reasons may be against the law.

3. Discrimination on grounds of religion or political opinion/views

The law says that you must not be treated worse simply because of your religious beliefs or because you don’t have any. “Religious beliefs” include a very wide range of religions e.g. Protestant, Catholic, Muslim, Jewish, Hindu and other world faiths.

Also you must not be treated worse simply because of your political opinion or views e.g. because you are a member of a particular political party, a member of your family is in a particular political party or you support the views or ideas of a particular political party. If this happens to you it may be against the law.

Sometimes people assume by mistake that we belong to a particular religion or have a particular political opinion or view. Perhaps they make the mistake because of where we live, where we go to school or who our friends are. If you are treated worse by someone simply because *they think* you are a particular religion or have certain political views, this may also be against the law.

4. Discrimination on grounds of sexual orientation

It is against the law to discriminate against somebody because of their

sexual orientation. This means that you must not be treated worse simply because you are gay, lesbian, bisexual or heterosexual (straight). If this happens to you it may be against the law.

Sometimes people assume by mistake that a person has a particular sexual orientation. If you are treated worse by someone simply because *they think* you have a particular sexual orientation this may also be against the law.

5. Age Discrimination

The law says you must not be treated worse simply because of your age without a very good reason. If this happens to you it may be against the law.

Sometimes people can look older or younger than they really are. If somebody makes this mistake about you and treats you worse because of the age *they think* you are (rather than the age you really are) this may be also against the law.

All of the forms of discrimination described above are usually described as *direct discrimination*.

6. Indirect Discrimination

There is another type of discrimination that is more difficult to spot. It is called *indirect discrimination*.

Example 1

A Saturday shop assistant job is

advertised at a local supermarket. Jane, who is 15, wishes to apply. This is the first time that she has applied for a part-time job. She is told by the shop owner that in order to get the job it is necessary to have “previous experience” of shop work. Although the same rule is applied to all applicants for the job and the shop owner has not said that younger people shouldn’t apply, the “previous experience” rule will indirectly exclude many younger people who, because of their age, will not have had the chance to get experience. Unless the shop owner can give a very good reason for requiring “previous experience” and show that it is really necessary for doing the job this will be against the law. This is an example of *indirect age discrimination*.

Example 2

John is a young Traveller. He wants to join his local video library. He is told that anybody wishing to join has to give a “house address”. Although the video library owner makes the same rule for everybody and has not said that Travellers may not join, the “house address” requirement will indirectly exclude many Travellers because most will not be able to provide one. Unless the shop owner can give a *very good reason* for making this rule and show that it is really necessary it will be against the law. This is an example of *indirect race discrimination*.

Indirect discrimination on grounds of sex, race, religious belief or political opinion, sexual orientation or age is against the law.

7. Disability Discrimination

The law says that you must not be treated worse without a very good reason because you have a disability. The law protects you if you have a physical or a mental disability including a learning disability and that disability makes it hard for you to do everyday things that most other people can do.

The law also says that if you have a disability employers, schools and organisations or businesses providing you with services like shops, cinemas and leisure centres etc. might have to make changes or give you extra help so that you are not at a disadvantage because of your disability. For example:

- if you are applying for a part-time job at weekends and you have an eyesight condition that means you have problems reading and completing the application form, the employer may have to provide a form with larger print or let you make your application in another way;
- if you have a learning disability you might need changes to be made at school such as letting you have longer in tests and exams;
- your school should take reasonable steps to make sure that you can take part in school trips and outings;
- if you are a wheelchair user or have difficulty going up steps a shop may have to provide a ramp or handrail to help you get into the shop safely.

8 Exceptions

In each type of discrimination law there

are a very *small number* of situations where discrimination is allowed. These are called exceptions. For example the gender discrimination law allows a school to refuse you a place in an “all girls” school if you are a boy and vice versa. The law on exceptions is very complicated and the Children’s Law Centre can give you more advice and information about this.

9. Harassment

Discrimination law protects you if you are harassed because of your gender, race, religion, political opinion or views, sexual orientation, age or because you have a disability. There are many different examples of harassment. It can happen, for instance, where someone is called insulting names (e.g. racist name calling), bullied, left out of a group, threatened, physically attacked, humiliated, made to feel uncomfortable or has nasty false rumours passed around about them. Harassment is often very distressing and can be very frightening. People who have been harassed sometimes find it very difficult to talk about what has happened to them.

10. Victimisation

It is very important that people are not afraid to complain when they feel they have been discriminated against. The law gives special protection to you if you are treated badly, threatened or made to feel uncomfortable in any way because you have made a discrimination complaint or helped