

Victorian Law Reform Commission  
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Dear Commissioners

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Endorsement of Youthlaw submission in response to the Surveillance in Public  
Places Consultation Paper

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The Youth Affairs Council of Victoria (YACVic) is the peak body representing the youth sector in Victoria. YACVic provides a means through which the youth sector and young people voice their opinions and concerns in regards to policy issues affecting them.

YACVic endorses the submission made by Youthlaw in response to the Commission's Surveillance in Public Places Consultation Paper. YACVic knows that young people are vulnerable to discrimination by laws, policies or practices that seek to monitor, police and regulate behaviour in public spaces if those measures are not sensitive to the ways in which young people utilise public space and to the critical importance of young people as stakeholders in public space design, policy, monitoring and management.

Like Youthlaw, YACVic supports the introduction of regulations relating to the use of surveillance and strongly advocates that the development of such regulations needs to reflect an understanding and sensitivity of the ways in which young people utilise public spaces as social spaces. This is critical to ensuring that regulations support, rather than impinge upon, young people's human rights as they are protected by the Charter of Human Rights and Responsibilities (2006).

YACVic shares concerns expressed by Youthlaw in their submission to you 'about the overuse and abuse of closed-circuit television (CCTV) surveillance in both public and private spaces' and reiterates Youthlaw's comment that 'CCTV use has the potential to discriminate against young people legitimately using public space, to amount to an invasion of their right to privacy, a reduction of their right to freedom of movement and association and exclusion of young people from their enjoyment of public spaces.'

YACVic is aware that discrimination against young people in the regulation of public spaces often occurs out of concern to prevent 'anti-social behaviour'. For

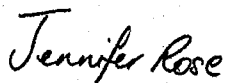
example, it is a common misconception that young people 'hanging out' in a public space constitutes 'anti-social behaviour' as the presence of groups of young people may contribute to a perception that a space is not safe. These perceptions can and do sometimes inform surveillance practices and law making in relation to public spaces. YACVic is keen to impress upon the Commission the critical importance of the development of surveillance regulations that support young people's legitimate use of public spaces and that do not lead to discriminatory profiling of young people or discriminatory practice in surveillance.

Like Youthlaw, YACVic has been told by young people repeatedly of their experiences of being 'moved on' by security guards, authorised officers or police from public spaces such as shopping centres, train stations or other public spaces. This is of concern to YACVic not only because it can represent a breach of their legitimate right to enjoyment of public spaces, but can also mean that young people are moved away from sites they have elected to be in because they are safe (due to effective lighting or the fact that a place is well populated and monitored) to unsafe public spaces.

YACVic endorses the recommendations made by Youthlaw in their submission to the Commission including Youthlaw's suggestions in relation to draft principles to guide policymaking about public place surveillance. YACVic would like to build upon the recommendations made by Youthlaw here to suggest that the principles should also specifically ensure that public space surveillance does not result in the discriminatory profiling of a group of people within the community.

YACVic looks forward to continuing to contribute to the Commission's Inquiry into these matters through our engagement with the 'Surveillance in Public Places Consultative Committee' and is happy to assist the Commission in its efforts to engage directly with young people themselves in informing its deliberations on this matter.

Yours sincerely



Jen Rose  
Acting CEO