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The Honorable Members of the Social Development Committee
South Australian Parliament
Via email: sdcp@parliament.sa.gov.au

Subject: Submission in Support of Enacting a Human Rights Act in South Australia

Dear Members of the Social Development Committee,

I write on behalf of Run For It. We are a powerful movement of young people working to rebuild our democracy and create a better kind of politics for future generations. Run For It supports young people who are leaders in their communities to run strategic and strong campaigns to get elected to local councils across Australia.

The South Australian Parliament should enact a Human Rights Act

Human rights are the tools we use to fight for the basic rights and freedoms that belong to every person in the world, from birth until death. A South Australian Human Rights Act would provide all of us – the tools to demand we are treated as equals in our society.

This is particularly important for young people who are currently excluded from fully participating in their democracy. From 16 years of age, young people can drive, work, pay taxes and enlist in the army - but they can't vote until they turn 18.

As the generation that will inherit the consequences of decisions made today, young people have a lot at stake in the political process.

The introduction of a Human Rights Act in South Australia is long overdue. Such legislation would provide a legal framework to uphold and promote the fundamental rights and freedoms of individuals, ensuring that they are respected, protected, and fulfilled by the government and its agencies.

The right to vote

The right to vote is a fundamental component of our democracy. The obligation to protect and promote the right of every citizen to universal and equal suffrage is recognised in Article 25 of the *International Covenant on Civil and Political Rights* (ICCPR). Noting that the right to vote may be subject to reasonable restrictions, which may include setting a minimum age.

New Zealand has had a *Human Rights Act* (the New Zealand Bill of Rights Act 1990) for over thirty years. Recently the New Zealand Supreme Court has found that laws setting the

voting age for New Zealanders at 18 are inconsistent with the right to freedom from discrimination on the basis of age enshrined in the New Zealand Bill of Rights Act 1990.

The Supreme Court of New Zealand in *Make It 16 Incorporated v Attorney-General* [2022] NZSC 134 found that lowering the voting age to 16 years would protect the fundamental rights of young people in circumstances where Parliamentary and electoral processes alone may not be effective in protecting their rights to political participation.

Further, the Court referred to New Zealand's obligations to "assure to the child who is capable of forming his or her own views the right to express those views freely in matters affecting the child" as set out in the *United Nations Convention on the Rights of the Child*.

Lowering the voting age is not revolutionary

Lowering the voting age is not a new idea - and is already a reality in many countries across the globe. Argentina, Brazil and Ecuador, who like Australia have compulsory voting, have all lowered their voting age. So have Cuba, Nicaragua, Austria, Ecuador, Argentina, Malta, Scotland and Wales.

Each of these countries has seen clear benefits from changing their voting age, including higher rates of political engagement, with young people learning more about their political systems earlier and in some instances participating in elections at higher rates than older age groups.

Conclusion

We require guidelines to make ours a fairer, more prosperous and more livable world. A Human Rights Act for South Australia would provide those guidelines. A Human Rights Act for South Australia would mean that no one is left behind, particularly young people who despite being part of the social, economic and political fabric of our communities - can't have a say on what they want their country and community to look like.

By enacting a Human Rights Act in South Australia, we can enhance the rights and opportunities of young people to participate in decision-making processes that affect their lives. Such legislation would provide a legal basis for recognising and respecting all of the inherent human rights of children and young people, including their right to freedom of expression, participation in public affairs, and access to education and healthcare.

Furthermore, a Human Rights in South Australia would serve as a tool for accountability, allowing individuals to challenge any violations of their rights and seek redress. This would foster a culture of respect for human rights across all sectors of society and ensure that our laws and policies are in harmony with international human rights standards.

In conclusion, we urge the Social Development Committee to give serious consideration to the enactment of a Human Rights Act in South Australia. By doing so, we can reaffirm our commitment to protecting and promoting the rights of all South Australians, particularly young people, and create a more just and inclusive society for generations to come.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'EK', with a small dot at the end.

Edward Krutsch
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Run For It

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