



Commissioner for **Older People**
for Northern Ireland

Summary of Advice to Government

2016 - 2024

December 2024



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Foreword

I have been honoured to hold the role of Commissioner for Older People for Northern Ireland for the last eight years.

In this position, I have met many wonderful older people who are passionate about the place they live in and their role in society. I am proud to have advocated on their behalf, offering my support on the issues most important to them.

Together, we have championed the rights of older people and helped foster an open and collaborative approach between government and other representative groups.

I am proud of the increased recognition of older people in our society, and the positive developments in many areas. There is more to be done, however, and I hope to see more positive engagement on the issues most important to older people in the future.

As I hand over the title of Commissioner for Older People for Northern Ireland, I offer an overview of just some of the highlights from my time in the role. Once again, I would like to thank everyone who has supported me in my work over the last eight years, and for all those who positively engaged with my office to better understand and meet the needs of our ageing population.

Eddie Lynch
Commissioner for Older People
for Northern Ireland

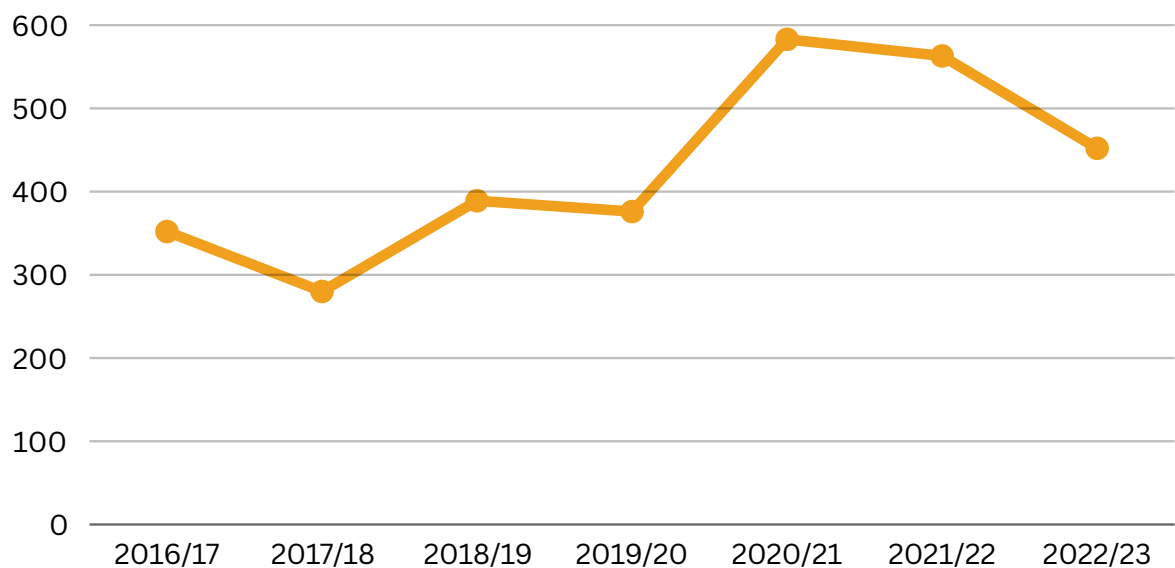


Advocacy and legal support

Integral to the role of Commissioner is the provision of legal support that ensures the rights of older people are upheld through our legal system. Likewise our advocacy team ensures older people receive clear and factual information that empowers them to exercise their rights and make informed decisions in line with their needs and interests.

Over the course of my term, legal and advocacy staff have assisted older people who have a wide range of needs. This includes supporting people with concerns relating to care homes, public institutions, consumer affairs, crime, financial abuse, human rights, housing, and transport, to name but a few issues.

Notably, case work increased significantly following the COVID-19 pandemic, perhaps reflecting COPNI's growing prominence in public life. Of course, the pandemic also brought a lot of the long-standing issues experienced by older people to the fore.



Prevalence of financial abuse against older people

The casework managed by the legal and advocacy team can often inform the research undertaken by COPNI. My first project as Commissioner, *Financial Abuse of Older People in Northern Ireland: The Unsettling Truth* was published in 2016. The report assessed the prevalence of the financial abuse of older people in Northern Ireland. This project involved the commissioning of a survey of 1,025 older people, alongside a roundtable event with relevant professionals and academics to discuss older victims of financial abuse.

This study found:



21 per cent of older people were affected by some level of financial abuse.

The most common forms of abuse relate to:

- money and possessions (7 per cent);
- buying and selling goods (6 per cent); and
- contributing to bogus charities or being persuaded to donate to charity beyond your means (4 per cent).

In the years following the report, I have continued to raise awareness of financial abuse issues by supporting a variety of schemes. I also continue to advocate for and contribute to the development of the Adult Protection Bill.

Scamwise

Scamwise, co-founded by COPNI in 2016, is a hugely successful initiative designed to combat crime and increase awareness of fraudulent activity. This project is a partnership between the Commissioner for Older People for Northern Ireland, the Police Service of Northern Ireland, the Department of Justice, and the Northern Ireland Policing Board.

Through Scamwise, we aim to increase awareness and educate the public on how they can protect themselves and avoid falling victim to scammers.

I am proud to say that from an initial group of 15 partners, the scheme has grown to include over 40 organisations, including those from business, statutory, community, charitable and faith-based backgrounds.



The Commissioner, Eddie Lynch, with members of the Ballymoney Evergreen Club at the launch of the Big Book of Scams.

Home Truths

Just over six-months into my term, I was met with an issue that required me to exercise my statutory powers to investigate. This was following complaints in December 2016 from two families in relation to the treatment of their family members in the Dunmurry Manor Care Home. In the same month I also received complaints from two members of staff alleging poor and unsafe practice in the care home.

With assurance that no other organisation was better suited, I launched an investigation seeking evidence from past and present residents, their families, and employees of Dunmurry Manor about their experience of the care and treatment provided there.

As part of this process, I also examined the actions taken by the relevant authorities and welcomed all evidence of both good and poor practice, as well as any other comments.

The findings of this investigation were shocking. Despite Dunmurry Manor being regulated against care home standards within a regime of regulation and inspection, it became clear as the investigation progressed, that none of the organisations involved were aware of the full scale of the issues being experienced by residents in the home.

I published the findings of my investigation in *Home Truths: A Report on the Commissioner's Investigation into Dunmurry Manor Care Home* in 2018. This report included a set of recommendations for each of the relevant authorities. In accordance with the *Commissioner for Older People Act (Northern Ireland) 2011*, the authorities were notified of recommendations contained in the report and given a three-month period to provide a response.

In the subsequent year, I published *Home Truths: One year update*, followed by *The Commissioner's view: A summary of responses to Home Truths* in 2020. Significantly, following publication of the Commissioner's report, a separate investigation was launched by the Police Service of Northern Ireland, while the Department of Health appointed its own independent review team to examine poor practice at Dunmurry Manor.

I recognise that progress has been made since the investigation and I am thankful that all the organisations that I engaged with during this investigation were receptive to my recommendations. It is positive to see that since the investigation into Dunmurry Manor, the conversation around adult safeguarding has progressed across the public sector as a whole. This includes promise of future legislation in this area, which will further support the rights of all adults living in a care home setting.

However, it remains the case that there are still areas of residential care provision, monitoring, inspection and delivery which require improvement. With that being said, I am proud of the contribution that the Dunmurry Manor investigation has made to what will undoubtedly be a longer-term dialogue between residents, care providers, and our public institutions.



The Commissioner, Eddie Lynch, at the launch of the Home Truths report.



The Commissioner, Eddie Lynch (centre) with members of the Home Truths expert panel L-R Professor John Williams, Eleanor Hayes and Dr Robert Peat.

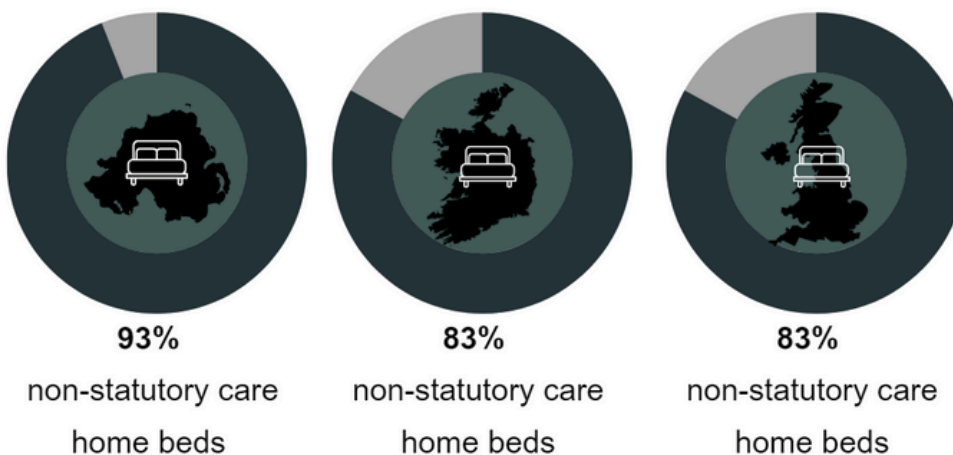
Respecting residents' rights in care homes

Following the Dunmurry Manor investigation, I completed additional research into the legal framework through which the Health and Social Care Trusts in Northern Ireland commission care home services.

The legal framework by which a Trust commissions services from a care home provider is the *Regional Residential & Nursing Provider Specification and Contract*. This Regional Care Home Contract outlines the relationship between the commissioning Trust and the contracted service provider. Notably, the resident is not party to the contract.

As with other studies, this research was informed by the enquiries from the public that COPNI received. It was of particular interest considering that the vast majority of the 470 residential and nursing facilities registered in Northern Ireland, providing most of the 15,837 care home beds, are operated by the independent sector. This means that the contract plays a vital role in protecting the rights of care home residents.

Private care home bed provision, NI, Ireland, UK





Findings from this research were published in the 2024 report *Respecting residents' rights in care homes: A review of the Regional Care Home Contract by the Commissioner for Older People for Northern Ireland*.

A number of valuable findings were identified as part of this study. Notably:

- residents of care homes in Northern Ireland are currently considered to have only a contractual licence to occupy. As a result, they are not deemed tenants. Accordingly, they cannot avail of the protections under the Private Tenancies (Northern Ireland) Order 2006 and essentially have no security of tenure.
- the complaints procedure described in the Contract largely places responsibility for the investigation, determination, and oversight of complaints about issues involving the provider in the hands of the private care home provider, meaning there is little external oversight.
- while care homes are required to signpost residents to advocacy services, unfortunately this obligation is sometimes fulfilled by the inclusion of a leaflet or contact details in a resident's welcome pack. When an individual has significant cognitive or physical impairments, such signposting can prove valueless.

The review of the provision and quality of services within a care home setting has been a key part of my work as Commissioner, with the needs of the resident central to all discussions on care home provision.

It is my hope that as a result of my time as Commissioner, I have supported the Department of Health and Northern Ireland's Health and Social Care Trusts in their decision-making, that I have encouraged care providers to review and update their practices where necessary, and that I have encouraged residents and carers alike to speak out if, at any time, they feel that a care home is not meeting the needs of a resident.



Older people's experience of crime

Understanding the experiences of older victims of crime was another key area of research during my term, and it is an area in which I completed four separate studies:

In 2019, *Improving Access to Justice for Older Victims of Crime: Older People as Victims of Crime and the Response of the Criminal Justice System in Northern Ireland* examined how to improve access to justice for older victims of crime in Northern Ireland, exploring crime against older people and the response to it by the criminal justice system.

Also in 2019, *Crime and Justice: The Experience of Older People in Northern Ireland* examined the impact of crime on older people and their families, as well as the response of the criminal justice system.

In 2023, *A Different Crime: Offending against Older People* assessed the experience of older people in the criminal justice system and includes an analysis of crime statistics.

In 2024, *A Growing Concern: Older Victims of Domestic Abuse in Northern Ireland* presents an overview of the developing policy and legislative landscape as it relates to domestic abuse, alongside an overview of PSNI prevalence statistics, and some of the unique characteristics of domestic abuse as it relates to older victims.

Each study includes analysis of Police Service of Northern Ireland (PSNI) and Public Prosecution Service for Northern Ireland (PPS) data, alongside engagement with relevant authorities and older people.

Insight from these studies found that older people were at a lower risk of crime, but also that they are more afraid of crime and that they have additional needs that have not historically been met by the criminal justice system.

Additional needs emerge due to different reasons, such as a higher rate of physical and mental impairment among older people, smaller support networks, or higher rates of feelings of insecurity and fear of crime.

Following the publication of COPNI's reports, I am pleased to see that Criminal Justice Inspection Northern Ireland completed their own study, *Vulnerable Older People: An inspection of the criminal justice system's approach to vulnerable older people in Northern Ireland*. The findings of this report are reflective of the Commissioner's work, with recommendations advocating for continued engagement by justice agencies with the Commissioner for Older People for Northern Ireland, something I would expect to see in the future.

Overall, there has been good progress with regards to the experience of older people in the criminal justice system. As in other areas, however, I look forward to seeing how future engagement occurs with our older population. I hope that this engagement will bring increased confidence in our justice system and result in better outcomes for all victims of crime.



(Top) The Commissioner, Eddie Lynch with Geraldine Hanna, Commissioner Designate for Victims of Crime at the launch of A Different Crime: Offending against older people.



(Left) Dr Kevin J Brown with the Commissioner, Eddie Lynch at the launch of Crime and Justice: The Experience of Older People in Northern Ireland.


Are you ageist?

Addressing ageism has been an important part of my role as Commissioner. Ageism is discrimination based on age, with each of the areas of life mentioned above highlighting just how pervasive an issue it is in our society.

To understand the extent to which older people felt that ageism was an issue in their lives, I chose *Tackling Ageism* as the overarching theme of my Corporate Plan for 2022 – 2024, exploring the theme through six engagement events across Northern Ireland, alongside a survey of over 300 older people.

My work in this area is aligned to the Global Campaign to Combat Ageism, which is an initiative supported by the World Health Organisation's (WHO) member states. The overarching aim of this campaign is to change the narratives around ageing and help create a world for all ages.

Through the *Are you Ageist? Older people's perceptions of ageism in Northern Ireland* report, published in 2024, the experiences of older people living in Northern Ireland are shared, offering insight into their interactions with other people and when accessing services.



The report found that:

- almost one in two (49 per cent) of older people have experienced ageism in their day-to-day lives.
- close to two thirds of older people felt they were viewed as frail, vulnerable, or dependent (60 per cent); that they are viewed as a burden to society (65 per cent); or that as they have gotten older, they are taken less seriously (65 per cent).
- the majority of older people believe not enough is being done by government to tackle ageism and ageist attitudes (87 per cent); and that more money should be committed to the issue (81 per cent).
- almost all respondents felt that older people have a lot to contribute to the workforce (95 per cent); also feeling that they play an active role in society (83 per cent).
- over half of respondents believe that modern workplaces do not cater for the needs of older people (63 per cent).

Ageism is a significant global issue. Sustained effort is required to identify where older people face discrimination, and to determine the processes needed to ensure equitable access to services is available for older people. This is something that will become more apparent as our population ages. It is an area in which COPNI is engaging consistently, both internally with our own research, and in collaboration with other public institutions.



Top right, the Commissioner, Eddie Lynch at the launch of his Are you Ageist? report; and addressing attendees at the ageism roadshows across Northern Ireland.

The COVID-19 Inquiry

During the COVID-19 pandemic there was much discussion around how best to protect the most vulnerable people in our society. It was an unprecedented time during which many decisions were made, guided not by a consensus of best practice and collective experience, but based only on the little information that was available on the virus, and the instinct of those in a position of leadership.

For older people, societal discourse fluctuated between how to protect the most vulnerable, to disregarding their needs in favour of an active economy. Many older people felt isolated or worried, and to my dismay little weight was given to the voices of those who were very often at the centre of the discussion.

My team worked throughout the pandemic to address the concerns of older people. Throughout the pandemic, my office performed a vital advocacy role for older people and their families, relaying concerns to government, meeting with health bodies and care representatives, and providing guidance through media engagement.

I contributed to the national COVID-19 Inquiry as a core participant in Module 2C, which relates to Core UK Decision-making and Political Governance. These hearings took place in Belfast from 30 April to 24 May 2024 and were open to the public to attend.

The Programme for Government

I have consistently campaigned for an older person's Outcome to be included in the Programme for Government since entering the role of Commissioner for Older People for Northern Ireland.

To advise the current government, my research team completed the report *At the centre of government planning: the Programme for Government and preparing for an ageing population* in June 2024.

This report presented a demographic analysis of Northern Ireland, highlighting the extent of demographic ageing in the region. While acknowledging the benefits of an ageing population, the report emphasised the challenges it poses across multiple sectors, including the economy, labour market, housing, and healthcare.

To address these challenges, my report offered recommendations for an integrated approach to demographic ageing in the Programme for Government, urging planning and coordination among departments to prepare for an ageing population. Since the report's publication, myself and my office have actively engaged with The Executive Office, the First Minister, the Deputy First Minister, MLAs, and senior officials to emphasise the importance of preparing for this demographic shift.

In September 2024, I participated in an event organised by the All-Party Group on Ageing and Older People at Parliament Buildings, where my report's analysis and recommendations were used to structure the event.

In collaboration with Age NI, I initiated a campaign advocating for including provision for our ageing population as a priority in the Programme for Government.

In November 2024, I presented evidence to the Committee for the Executive on the Programme for Government.



(Left) The Commissioner, Eddie Lynch (right) with Dr Ángel Leira Pernas from COPNI in attendance at the Executive Committee.

(Right) The Commissioner, Eddie Lynch (right) with Linda Robinson, CEO of Age NI at their joint call to government to prioritise older people in the Programme for Government.





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