



The Alliance of Age Sector NGO's, Ireland.

Submission to the United Nations (UN) Human Rights Council mandated Independent Expert on the enjoyment of all human rights by older persons: *Ageism and Age Discrimination*.

Background

The United Nations (UN) Human Rights Council mandated Independent Expert on the enjoyment of all human rights by older persons has issued a call for submissions on the subject of ageism to inform the preparation of upcoming reports, which will be presented at the UN Human Rights Council and the UN General Assembly.

This submission has been prepared by Ireland's Alliance of Age Sector NGOs. The Alliance of Age Sector NGOs unites 8 national age sector organisations¹ working together to support Ireland in becoming a better place in which to grow old.

In aiming to ensure that Ireland achieves the longevity bonus that our ageing demographic offers the Alliance of Age Sector NGO's is committed to the pursuit of three priority outcomes relevant to the promotion of positive ageing and an age-friendly society in Ireland;

- (1) An all-of-Government approach to ageing.
- (2) Ageing in place.
- (3) Combat ageism.

This submission to the Independent Expert will be considered from the perspective of the three defined outcome areas;

1. An all-of-Government approach to ageing;

The National Positive Ageing Strategy (NPAS) was published by Ireland's Department of Health in 2013, setting out a vision for Ireland as "...a society for all ages that celebrates and prepares properly for individual and population ageing. It will enable and support all ages and older people to enjoy physical and mental health and wellbeing to their full potential. It will promote and respect older people's engagement in economic, social, cultural, community and family life, and foster better solidarity between generations. It will be a society in which the equality, independence, participation, care, self-fulfilment and dignity of older people are pursued at all times."

The Strategy identified a specific cross cutting objective relating to ageism which was defined as; "Combat ageism through awareness campaigns and by encouraging the media and other opinion making actors to give an age-balanced image of society."

Furthermore, the Strategy states; "At a national level, the Strategy seeks to highlight that ageing is not solely a health issue – it requires a whole of Government response. It provides a framework to enable better engagement to identify and to address issues that require co-operation among, in the first instance, a number of Government Departments. This will promote coherence and integration in policy making and planning and a better identification of crossover points with other relevant national priorities and strategies. The National Positive Ageing Implementation Plan will be developed with all key actors with responsibility for the delivery of services and supports for older people."

To inform ongoing monitoring on positive ageing, the Department of Health has published a set of positive ageing indicators in 2016 and once again in 2018. In respect of ageism, the 2018 report highlights (see table overleaf) that many of the factors limiting the participation and engagement of older people in society are linked to ageism or age discrimination. The 2016 report highlighted that a very significant 45% of people aged 50 and over reported that they felt discriminated against because of their age. In 2016, 73% of the aged 50+ cohort perceived ageing as a time of personal growth. The comparable figure for 2018, however, dropped to 66%.

¹ The Alliance is composed of eight NGOs: Active Retirement Ireland, Age Action, Age & Opportunity, ALONE, The Alzheimer Society of Ireland, The Irish Hospice Foundation, The Irish Senior Citizens Parliament, Third Age.

Domain	Key indicators	2016 Report	2018 Report
Combatting ageism	Percentage aged 50+ who reported that they felt discriminated against because of their age	45%	Not reported
	Percentage of people aged 50+ who perceive ageing as a time of personal growth	73%	66%

Healthy and Positive Ageing Initiative (2018) Positive Ageing Indicators 2018. Dublin: Department of Health.

Ageism in Ireland can affect older adults in a number of ways, including, for example in:

- Employment, where they can encounter a prejudicial retirement age.
- Financial services, where they can encounter limitations on their access to insurance.
- Volunteering and lifelong learning, where they can encounter limitations on their access to these opportunities.
- Health and social care, where they can encounter age-based limitations on health care and other benefits.
- Education and training, where they can encounter limitations on loans for higher education.

For its qualitative research report, 'Towards an Age-Friendly Ireland: Ageism and Older People in 2018', Active Retirement Ireland asked 100 members – randomly selected from its 545 groups nationwide – a series of questions about their lived experience of ageism. Participants ranged from 50 to 92 in age. Key findings included:

- 34 per cent of respondents had experienced mild casual ageism on a regular basis, such as family members, acquaintances or professional contacts making assumptions about their interests based on their age.
- 42 per cent had direct experience of health-related ageism.
- 43 per cent had experience of being grouped as “older people, the elderly, seniors, or similar” in a negative fashion.
- 19 per cent have felt humiliated or hurt by comments about their age.
- 22 per cent of older people said they had experienced ageism in a healthcare environment.

The 2013 Positive Ageing Strategy, it must be noted, has prompted or part-facilitated a number of positive developments in relation to ageing in Ireland – including but not limited to;

- the development of the 2019 joint Department of Health and Department of Housing policy statement “Housing Options for our Ageing Population” to support ageing in place.
- the extension of the Age Friendly Cities and Counties programme to all 31 local authority areas together with the establishment of an Older People’s Council in each local authority area.
- two-year pilot support programme shared by the Age Friendly initiative and Local Authorities, aimed at enabling older people who otherwise would be at risk of moving into nursing home or hospital care, to stay in their own home within their communities.
- the development of a national dementia strategy in 2014.

The view of the Alliance of Age Sector NGO's:

The Department of Health's 2016 and 2018 research has identified that many of the factors limiting the participation and engagement of older people in society are linked to ageism or age discrimination. The 2018 Active Retirement Ireland study provides further evidence on the lived experience of older people in respect of ageism.

The 2013 National Positive Strategy sets out a very welcome blueprint for how policies and services could be designed to protect and further enhance the rights of older people. However;

- An implementation plan for this Strategy has, nine years later, yet to be developed.
- No detail has been provided on how this will be accomplished or when.
- No targets have been set.

The contrasts poorly with the robust implementation measures and mechanisms which have been introduced to support comparable whole of government strategies focused on disability and children's rights - to name but two policy areas.

The Alliance has consistently called for a coherent whole-of-government approach to influence policy to support positive ageing and address those issues relating to ageism and age discrimination which may limit the participation and engagement of older people in society.

Such an approach would involve the framing of a clear set of deliverables, associated timelines, performance indicators and active monitoring to support full and active implementation of the National Positive Ageing Strategy.

While positive ageing strategies are to be agreed by governments, support cannot be built without the backing and advocacy of older people. Civil society organisations play a key role in making this happen and in holding governments to account. A practical mechanism that would support effective rolling engagement between relevant government departments and civil society organisations would help to play a key role in furthering the implementation of positive ageing related commitments enshrined in the 2013 National Positive Ageing Strategy.

2. Ageing in place

The joint policy statement published by Ireland's Department of Health and Department of Housing "Housing Options for our Ageing Population" (2019) pleasingly identifies a programme of 40 strategic actions to further progress housing options for older people under the themes of data gathering, collaborative working, delivering choice, support services, comfort and safety and maintaining momentum.

The purpose of this Statement is to provide a policy framework to support Ireland's ageing population in a way that will increase the accommodation options available and give meaningful choice in how and where people choose to live as they age.

The view of the Alliance of Age Sector NGO's:

The Alliance has welcomed the publication of the joint policy statement and its underpinning emphasis on giving "meaningful choice in how and where people choose to live as they age." The Alliance also commends the Departments and agencies involved in their approach to engaging with older people to further inform and advance the programme of work involved.

From our experience as an Alliance of eight Age Sector NGO's in working with a diversity of older people across Ireland, we know that a range of additional dimensions will, however, need to be addressed so that Ireland can develop as a society that truly values and supports older people, where older people can be assured they can both age well and die well in their chosen place - for most people this will be their own home, and where the participation and engagement of older people in society can be further strengthened and enhanced. Clear example of some of the relevant deficits can be seen in:

- the inequitable distribution of specialist palliative care services (currently, there is no inpatient hospice in either the Midlands or North East of Ireland),
- the long-delayed introduction of a Single Assessment Tool which would support a comprehensive, standardised assessment of the health and social care needs of older people who may be looking for support with home or nursing home support,
- the inequitable access to home care supports - with the provision of home help hours and other care supports for older people now recognised as somewhat of a "postcode lottery", with very significant variations in the size of the waiting list and associated waiting time that an older person may experience depending on where in the country they may live,
- the inequitable access to housing adaption grants to support older people to age well at home - with variations in access and availability to grants depending on where in the country an older person may live,
- the long-delayed introduction of a statutory homecare scheme.

In the absence of equitable access to such fundamental social and healthcare supports which enable people in our communities to age well and die with dignity at or close to home the Alliance believes that there is considerable scope to ensure "meaningful choice in how and where people choose to live as they age."

3. Combat ageism.

Ireland's Department of Health 2016 research² has identified that many of the factors limiting the participation and engagement of older people in society are linked to ageism or age discrimination.

This 2016 research report noted that a significant "45% of people aged 50+ reported that they felt discriminated against because of their age in the past two years." As the 2016 report notes "discrimination is considered a significant social stressor that has harmful effects for physical and mental health. Evidence suggests that when older people experience age-related discrimination, they may assimilate the negative age-related views which increase the likelihood that they feel older

² Positive Ageing 2016 National Indicators Report (Department of Health, Ireland)

and less capable.” Worryingly, this percentage of people aged 50+ who reported experiencing discrimination in Ireland increased by 11%, from 34% in 2004.

Furthermore, the report notes “that a consistently higher percentage of people aged 65+ reported experiencing discrimination compared with those aged 50-64, although reported discrimination increased among people aged 50-54 from 35% to 42% between 2010 and 2014.”

The percentage of adults aged 50+ who reported experiencing discrimination in different settings is summarised in the table below:

Year	Workplace	Looking for work	In shops, pubs, restaurants etc	Banks	Housing	Health	Transport	Public Services
2004	33	82	27	35	17	29	35	20
2010	30	76	39	32		24		20
2014	33	87	37	36		24	25	16

Source: Positive Ageing 2016 National Indicators Report (Department of Health, Ireland)

While Ireland was one of the first EU Member States to prohibit discrimination on the grounds of age, in one area - the workplace - many workers in Ireland will have a mandatory retirement age, typically 65, written into their contracts. The current situation where people may leave work at 65 but are not entitled to the State pension until they turn 66 [and in the future 68] can create difficulty and financial hardship for older workers.

There is some evidence that employers’ attitudes remain a barrier to participation by older workers, with a 2016 William Fry ‘Age in the Workplace’ report illustrating the negative stereotypes they can face [less tech-savvy, less adaptable, etc].

- 60% of employers think it is difficult for younger workers to manage older workers.
- 45% of employers try to deduce a candidate’s age based on CV analysis and this is most prevalent in financial services, retail and transportation sectors.
- 61% of employers believe that older workers are resistant to change.
- 71% of employers believe that the pace of technological change presents a challenge to older workers.
- When it comes to looking for work, those currently seeking employment felt that being older was a disadvantage, with 38% believing age had been a negative influence on them not getting work, rising to 87% among those aged 55 or over.

In 2017 age discrimination cases made up 14 per cent of those reported under the Employment Equality Acts. The 2016 William Fry report also highlights some examples in recent Irish case law where workers have successfully brought legal action against employers for discriminating based on age - ranging from having job offers rescinded to being repeatedly passed over for promotions, all due to age. Of the 1,449 equality complaints made to the Workplace Relations Commission in 2019, some 49 percent alleged age discrimination. This represents a sharp increase since 2017.

One of the main points of contention at the heart of these complaints is the fact that there is no statutory retirement age in Ireland. Employers are permitted to set a retirement age, and often do, but this age must still be “objectively justifiable”. There are also exceptions under the Act e.g., Part

II, Section 5 (2d) ESA. This allows for differences in treatment in relation to services, that are associated with risk assessment.

Retirement ages remain a point of contention, as evidenced by the ongoing Stop67 campaign. The question of raising the State Pension age to 67 and subsequently 68 has been framed in a purely fiscal context, portraying pensioners as a liability to be paid for. This approach risks dehumanizing older people and feeding into ageism in the workplace. It also ignores the cumulative disadvantage suffered by older people from marginalised or socio-economically deprived backgrounds, who are more likely to start work younger and work in arduous employment.

In practice the regulation enables discrimination not only, but especially in the financial services (i.e., with credit, instalment and leasing contracts) and insurance sectors (e.g., travel, health, pension or car insurances) are allowed to discriminate based on chronological age, often charging higher premiums for older consumers.

The view of the Alliance of Age Sector NGO's:

COVID-19 has brought immense challenges to society as a whole. It has also highlighted how society and policy makers in Ireland may view and engage with older people. The crisis has demonstrated that we have not yet developed as an age friendly society. Indeed, the response to COVID-19 may have inadvertently increased a prevalent ageism, and older people have borne the brunt of COVID-19 - in language, in isolation and in death rates. Their treatment in COVID-19 has identified the gap that exists in recognising the rights of older people.

At the outset, the language of Irish governmental response to the emerging crisis was admirably clear and inclusive, offering reassurance and a sense of "collective purpose." Subsequently, requesting all 70+ year-olds to cocoon may, however, have revealed a number of ageist assumptions. It suggested that this population are a homogenous group that can be grouped together as the "elderly" - a term often associated with frailty, vulnerability and dependency.

The Alliance would suggest that in classifying the 70+, as a homogenous age group might yet have unforeseen consequences for how we view ageing at exactly the moment when we are rapidly ageing as a society.

Today as we learn to live with a constant COVID-19 threat, there is an opportunity to develop a more age friendly future response. The experiences of older people during COVID-19 must shape this future response.

The Alliance will therefore continue to advocate for an Ireland where the commitments and principles enshrined in the 2013 National Positive Ageing Strategy and other relevant policies and strategies are recognised and implemented. This 2013 Strategy sets out a very welcome blueprint for how policies and services could be designed to protect and further enhance the rights of older people. It highlights how ageism will be combatted "through awareness campaigns and by encouraging the media and other opinion making actors to give an age-balanced image of society."

These and other positive ageing related commitments, however, must now be fully implemented with the support of a whole of government, cross-Departmental approach to ageing which involves a set of clear deliverables, associated timelines, performance indicators and active monitoring. Only then, will Ireland be well positioned to realise the stated ambition to become a "good country in which to grow older in the years ahead."