Statistical briefing paper showing widespread support for extension of Age discrimination legislation to goods, facilities and services (GFS)

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Key asks

- Age NI calls on the NI Assembly to extend age discrimination legislation to goods, facilities and services by May 2016.

- Age NI urges OFMDFM to publish draft proposals on age discrimination legislation to public consultation as a matter of urgency and to publish a credible timeline to ensure the extension of age discrimination legislation to goods, facilities and services is passed before May 2016.

- Age NI calls on the Committee for OFMDFM to apply pressure and regularly scrutinise progress, to ensure OFMDFM produces proposals and credible timeframe for extension of age discrimination legislation for goods, facilities and services, before March 2016\(^1\); we further call on the Committee to scrutinise draft proposals and include age discrimination on its Forward Work Programme.

Key statistics

Age NI have released findings from an Omnibus Survey which shows strong public support for the introduction of age discrimination legislation in accessing goods, facilities and services to Northern Ireland, and the need for leadership at the Assembly to introduce this law as an urgent priority.

- 77% agree/strongly agree that the NI Assembly must show leadership and take action to address age discrimination in NI

- 71% agree/strongly agree that full protection from discrimination on the grounds of age must be an urgent priority for the NI Assembly

- 70% agree/strongly agree that age discrimination has a negative impact on quality of life

- 92% agree/strongly agree that the legislation should extend to people of all ages\(^2\)

Age NI's research has found that older people are strongly supportive of extension of age discrimination legislation for goods, facilities and services to Northern Ireland, and that they are supportive of this legislation extending protection to people of all ages.

- 84% of people aged 65 and over agree/strongly agree that the NI Assembly must show leadership and take action to address age discrimination in NI

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\(^1\) Northern Ireland (Miscellaneous Provisions) Act 2014 extended current term of NI administration by one year

\(^2\) Millward Brown Research, commissioned by Age NI and Age Sector Platform, 29 May 2014
• 83% of people aged 65 and over agree/strongly agree that full protection from discrimination on the grounds of age must be an urgent priority for the NI Assembly

• 90% of people aged 65 and over agree/strongly agree that the legislation should extend to people of all ages

Our research is supported by other recently conducted polls into the issue of age discrimination legislation:

• 94% of those attending Northern Ireland Pensioners Parliament 2014 agree that OFMDFM should proceed with the consultation on legislation to outlaw age discrimination in the provision of goods, facilities and services without delay.

• 87% of MLAs agree that it must be a priority for this current NI Executive to deliver legislation outlawing age discrimination.

Age discrimination: an urgent priority

The Northern Ireland Executive has pledged in the Programme for Government 2011-2015, to extend age discrimination legislation to the provision of goods, facilities and services (GFS) during the lifetime of this administration.

However, to date no policy or draft age discrimination legislation has been produced by OFMDFM and Age NI, along with others, is concerned that time is running out to deliver this legislation before the next Assembly elections as promised.

The message from our research is loud and clear. 71% of people believe that full protection from discrimination on the grounds of age must be an urgent priority for the NI Assembly and 77% are calling for leadership from the Assembly on the issue.

In May 2014, 94% of people at the Northern Ireland Pensioners Parliament agreed that OFMDFM should proceed to public consultation without delay.

Research has also shown significant political support for the legislation, with 87% of MLAs agreeing that it must be a priority for this current NI Executive to deliver legislation outlawing age discrimination.

3 Ibid
4 Northern Ireland Pensioners Parliament, Belfast, 29 May 2014
5 MLA research panel, December 2013, compiled by Stratagem and ComRes. (MLA Research Panel, Dec 13, compiled by Stratagem and ComRes). ComRes surveyed 40 MLAs between 29 October – 25 November 2013 by self-completion postal questionnaire and online. Data is weighted by party group and region)
6 Note 1
7 Note 2
8 Note 3
Why we need age discrimination legislation

There is clear public support for legislation and an understanding of the consequences of failing to protect people from ageism and age discrimination, with our survey showing that 70% of people believe that age discrimination has a negative impact on quality of life.\(^9\)

This finding supports a growing body of evidence which demonstrates that age discrimination pervades the lives of many older people in accessing such crucial things as health services and financial services.\(^10\)

Examples include:

**Health and social care**

- Clinically based research in England has shown ageism in cancer services, coronary care units, prevention of vascular disease, mental health services, and the management of strokes.\(^11\)
- Other research reveals more subtle ageist practices and negative attitudes towards older patients.\(^12\)
- Older patients less likely to be referred for surgical intervention for cancer, heart disease and stroke\(^13\)
- Survival rates for British cancer patients over 75 are amongst worst in Europe\(^14\)
- Clinical trials often exclude older people based on chronological age rather than capacity to be entered to such trials\(^15\)
- More than 70% of deaths caused by prostate cancer occur in men aged over 75 years, but few older patients receive treatment for localised prostate cancer, and are denied access to chemotherapy for advanced disease.\(^16\)
- Clinicians may over-rely on chronological age as a proxy for other factors, which are often but not necessarily associated with age, such as comorbidities and frailty.\(^17\)

\(^9\) Note 1
\(^10\) For example: Lawler, M. et al, *Ageism in Cancer Care, We need to change our mindset*, BMJ, published 28 February 2014. Other examples are set out at footnotes 9-19 below.
\(^12\) Ibid, quoting D. Oliver, 'How do you stand working with all these old people?' (2007) 117 Health Service Journal 20-21.
Older people are under-referred to psychological treatments (talking therapies such as Cognitive Behaviour Therapy) that are available for younger people, or to specialist mental health units.

Up to 50% of older people in residential care have clinically severe depression, yet only between 10%-15% receive any active treatment.

Patients over 65 who complain of heart issues are less likely to be referred to a cardiologist, given an angiogram or a heart stress test.

**Financial Services**

- Insurers use age as a proxy for risk, and exclude people from accessing financial services, solely on the basis of their age.
- Older people often pay higher premiums or may not be able to access cover at all for car or travel insurance.
- Mortgages, loans or other credit products can become difficult to access for older people.

**What older people have told Age NI**

Age NI hears all too often from people whose lives have been affected by blatant discrimination.

'I felt like I wasn’t being looked at as an individual, nobody looked at [me]. What they looked at was a date of birth and made a decision on that date of birth because of ‘generally’ – and ‘generally’ to me is at the root of a lot of discrimination.'

'My GP said that depressions was ‘just part of getting old’ and didn’t want to talk about the problem at all or help me in any way.'

'Last time I was in the hospital, it seemed that everyone just talked over me and always spoke to my niece instead. I was there for 7 weeks and it never really got any better. I just always felt that they didn’t actually think of me as a person, just a ‘disease’ and that they thought just because I was old I couldn’t think for myself.'

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19 Ibid, p 46


22 Ibid, p. 59-64;


24 Pat Kelso, Newsletter, 27 May 2014

25 Older people speaking at Age NI GFS Listening Events, 9 sessions held with 130 older people across Northern Ireland between May-July 2013

26 Ibid
When I went to America two years ago the scale of charges [for travel insurance] went from just under £300 to £2100.27

‘It makes you feel not valued at all. It takes away your dignity, makes you feel you are finished, on the scrapheap’28

The block to progress

Age NI understands that lack of progress on GFS legislation is due to a disagreement between the two parties within OFMdFM on whether age discrimination law should protect people of all ages, or just those aged 18 years and over.

Age NI has reviewed the evidence and talked with older people and believes that the legislation can and should protect people of all ages, while ensuring robust protections for people in later life. This view is supported by the Commissioner for Older People, the Equality Commission and NICCY, as well as others in the age sector.

Older people have told Age NI that it makes sense for age discrimination legislation to protect both them and their grandchildren. This position echoes the view of the general public with 92% of people29 saying that that the legislation should extend to people of all ages in our April poll. This position has political support too, with research conducted in Autumn 2013 finding that over two thirds30 of both Unionist and Nationalist MLAs agreed that GFS legislation should be extended to people of all ages.

Time for action

If we are to meet the needs of our ageing population and ensure that increasing numbers of older people are not met with prejudice, isolation and inequality in later life, then it is essential that age discrimination legislation is introduced to Northern Ireland in the area of goods, facilities and services.

The time has come for action from OFMdFM on this matter. Proposals must be issued to public consultation as a matter of urgency and certainly before summer recess, in order to ensure that all the usual legislative stages are applied and this law can be enacted within the lifetime of this administration, as pledged in the Programme for Government.

Age NI calls on OFMDFM to publish a credible timeline to get this legislation passed before May 2016 to ensure that people receive protection from harmful discrimination on the grounds of age. This should be the right of all people in Northern Ireland.

ENDS

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27 Newsletter article, Demand for politicians to take action, 6 June 2014
28 Ibid
29 Note 1
30 Note 3