



Commissioner for Older People Bill

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1.0 Introduction WCRP

1.1 WCRP Vision

“Our vision is of communities where women are recognised and valued as equal partners working towards a future based upon shared values of equality, participation and inclusion.”

1.2 WCRP Mission Statement

"To work in partnership to support and strengthen the voice of community based women's organisations"

1.3 Background

The Women's Centres' Regional Partnership (WCRP) is a partnership of four lead regional women's organisations linking with fourteen frontline women's organisations across Northern Ireland to provide support and services to women living in disadvantaged areas.

1.4 The four key lead partners of the Partnership are the Women's Resource and Development Agency (WRDA), Women's Support Network (WSN), Northern Ireland Rural Women's Network (NIRWN) and The Women's Centre, Derry. The fourteen Women's Centres are spread across Northern Ireland with seven from the Greater Belfast and Lisburn area, four in the North West and three in Dungannon, Magherafelt and Craigavon. Together the WCRP seeks to develop and strengthen a regional infrastructure which will support community based women's organisations across Northern Ireland.

1.5 There are four aims to the Partnership encouraging collaborative and strategic work on key areas such as influencing policy, identifying needs and gaps in relation to training, education and childcare services, improving communication on good practice and lessons learnt across the sector, sourcing potential sources

1.6 The Women's sector has played a key role in building and promoting, social, economic and political change in Northern Ireland. A review carried out in 2001 highlighted that through its infrastructure, comprising regional support organisations, networks, women's centres, and local groups engaged in a diverse range of activities, it has made a valuable contribution to promoting equality,

social and economic inclusion, peace-building, and the development of the voluntary sector and volunteering.¹
of funding, etc.

1.7 The WCRP tackle women's inequality and disadvantage and support community development in the most marginalised and disadvantaged communities and work for policy change. The principles of inter dependence, co-operation, participation, representation and good practice will be at the heart of the partnership's work.

1.8 The WCRP infrastructure and its partner organisations, has significant membership from older women across Northern Ireland.

1.9 The WCRP welcomes the opportunity to comment on the *Commissioner for Older People Bill*

¹ Where to from Here: A New Paradigm for the Women's Sector in Northern Ireland. NIVT, 2001.

2.0 The Bill-Commissioner for Older People

2.1 Introduction

The WCRP welcomes the NIA Bill 21/09 Commissioner for Older People Bill; a Bill to provide for the appointment and functions of the Commissioner for Older People for Northern Ireland.

The WCRP strongly supports the development of a Commission led by an Older People's Commissioner. Our population is ageing and evidence indicates that older people in Northern Ireland face many barriers that inhibit their quality of life and equitable participation in Northern Irish society. Some of these barriers have been highlighted by OFMDFM and include; health care, poverty, social exclusion, fear of crime, housing and transport².

2.2 Principal Aim

The WCRP is pleased with the clarity provided by OFMDFM on the use of the word 'interests' in the context of the principal aim of the Commissioner for Older People. The WCRP stated in their consultation response that:

‘ the principal aim of the Commissioner for Older People set out in the document could be enhanced and should state “to safeguard and promote the *rights and interests* and advance equality for older people”

The OFMDFM have confirmed that “Interests” is a broader term but it includes “rights”.

2.3 Duties Of the Commissioner

The WCRP had stated in our consultation response that:

‘WCRP agrees that the duties proposed are suitable for a Commissioner for Older People; however we would recommend that a duty to consult older people should be included...

WCRP believe that it is vital that the Commissioner should have a strong duty to communicate with older people and should be required to seek the views of older people and their advocates and take their opinions into account...

WCRP believe that as the public face for older people of Northern Ireland, the Commissioner should be disseminating information on activities to all of Northern Ireland; to promote age issues.’

² OFMDFM (2009) A Commissioner for Older People in Northern Ireland: A Strong Independent Voice for Older People p 21

The WCRP would like to commend the OFMDFM for including these recommendations in the Duties of the Commissioner in the proposed Bill

2.4 Relevant authorities – public/private coverage – nursing and in residential care homes

The WCRP believes that the Commissioner for Older People in Northern Ireland should be able to use specific formal powers to assist older persons in nursing homes whether publicly or privately funded. The Regulation Quality and Improvement Authority is responsible for regulating nursing homes regardless, it would therefore seem inconsistent for the Commissioner to be able to use formal powers to assist only older persons whose care is publicly funded.

As a Consultee we are delighted to note that fee paying residents of private and voluntary sector nursing and residential homes are now covered by the Commissioner's formal and specific powers in the proposed Bill.

2.5 NIHRC

The **Consultation Analysis and Report** states that: in her response to the Consultation however the Older People's Advocate made a suggestion that the Commissioner for Older People could use his/her collaborative powers to work with the NIHRC to take a case through the courts of NI relying on the Human Rights Act. This may require explicit legislative cover for the Commissioner to work collaboratively with the NIHRC to take forward a case (using their victim status) on behalf of the generality of older people.

The WCRP would like to note that we concur with OFMDFM that this is an innovative suggestion, which merits further consideration as the Bill passes through the Assembly.

2.6 Conciliation of Disputes

Whilst not included in the Consultation document as an option but presented as a suggestion from those consulted; the WCRP are pleased that the Bill has been amended so that the Commissioner may commission conciliation services in relation to disputes which may lead to proceedings involving the law or practice concerning the interests of older persons. This will mean that the Commissioner will be able to commission mediation services for an older person as an alternative to legal proceedings.

The WCRP recognises and welcomes the flexibility OFMDFM have shown in this regard and the demonstration of their commitment to meaningful consultation and engagement.

3.0 Other

3.1 'Stakeholder Groups/Panels'

The WCRP agrees that any such panel should have appropriate and wide geographical representation so that the Commissioner is fully aware of all the particular needs and issues affecting older people, especially in rural areas.

The WCRP would further advocate that any panel/group of older people sought for consultation should be gender balanced (taking account of CEDAW³ and UN Security Resolution 1325⁴), and reflect the multiplicity of society in their locality.

3.2 Value for Money

The WCRP recognises that through the sponsor department of OFMDFM, the Older People's Commissioner and his/her staff will be subject to a non-statutory duty to demonstrate value for money. We are cognisant of the difficult financial climate that the Assembly are working in now, as the Bill passes through and, in the future as the Commission is established.

The WCRP would ask that when considering Value for Money; quality and service provision are not compromised. As we stated in our consultation response the WCRP advocates that the budget for the Commissioner for Older People of Northern Ireland must be sufficient to carry out the duties required; investigations and arbitrations, strategic casework, ensuring promotion and visibility of age issues across Northern Ireland.

Cost effectiveness and efficient use of resources is an issue for all government departments, government supported initiatives and Non Departmental Public Bodies. The WCRP feels that sharing of support and resources should be explored and utilised

³ UN Committee on the Elimination of Discrimination Against Women, <http://www.un.org/womenwatch/daw/cedaw/recommendations>

⁴ <http://www.peacewomen.org/un/sc/1325.html> UNSC 1325 emphasises the distinct position of women in conflict and post conflict situations. It calls on member states to act in several areas, including the promotion of women in decision making institutions

where practical; however, it is imperative that this should not reduce the visibility of the Commissioner or Commissioner's Office. It is vital that older people feel they have a clear, visible, accessible contact point for their Commissioner. We also welcome the consideration of a Freephone telephone contact number.

4.0 Conclusion

The WCRP believes the Commissioner's role should be an independent champion for older people whose role is to empower older people and enforce their legal rights. The Commissioner needs to be a visible, single contact point providing; information, advice, support and advocacy for the older people of Northern Ireland.

The WCRP considers that the draft Bill presents a very good platform with which to achieve this and we look forward to; the draft Bill passing swiftly through the Assembly, the Bill's introduction and the establishment of a Commissioner that will provide a strong independent voice for older people.