



Age Action is Ireland's leading advocacy organisation on ageing and older people. We advocate for a society that enables all older people to participate and to live full, independent lives, based on the realisation of their rights and equality, recognising the diversity of their experience and situation. **We welcome the opportunity to contribute to the work of the Open Ended Working Group on the subject of Economic Security.**

Ireland ratified the International Covenant on Economic, Social, and Cultural Rights in 1989. In 2014, the Convention on the Constitution, which was established by the government to consider potential changes to the constitution, recommended that economic, social, and cultural rights be enshrined in the Irish constitution. However, this has not yet been done. In 2016, a private members' bill to bring forth such a constitutional change was defeated by vote.¹

Some older persons will struggle to access an adequate pension. This is especially true for women engaged in homemaking or caring. The state pension is not benchmarked or indexed and has fallen significantly behind inflation in the last year as a result.² Benchmarking has been advocated for by many parties including within the State. For example, it is recommended in the Roadmap to Social Inclusion;³ the Report of the Commission on Pensions;⁴ and the Report of the Commission on Taxation and Welfare.⁵

Older persons do not possess a right to work and Irish law permits mandatory retirement and age limits in recruitment. Section 34(4) of the Employment Equality Acts specifies that there must be a legitimate aim the clause is intended to achieve, and it must be an appropriate and necessary means of achieving it. There are no exact figures for how many workers are affected by this discrimination, but mandatory retirement is thought to be prevalent in Irish society.⁶ Section 34(5) allows for the setting of maximum ages at the recruitment stage of the employment process. The national minimum wage as it currently stands is below 'MESL', the Minimum Essential Standards of Living, an indicator that is reviewed annually⁷ and which the State relies upon in other contexts.⁸

¹ <https://www.oireachtas.ie/en/bills/bill/2016/27/>

² <https://www.ageaction.ie/news/2022/10/17/age-action-calling-all-tds-and-senators-protect-those-who-depend-social-welfare>

³ <https://www.gov.ie/en/press-release/0b2e3d-minister-doherty-publishes-roadmap-for-social-inclusion-2020-2025/>

⁴ <https://www.gov.ie/en/publication/6cb6d-report-of-the-commission-on-pensions/>

⁵ <https://www.gov.ie/en/publication/7fbef-report-of-the-commission/>

⁶ See e.g. OECD (2006), *Ageing and Employment Policies/Vieillessement et politiques de l'emploi: Ireland 2006*, Ageing and Employment Policies, OECD Publishing, Paris, <https://doi.org/10.1787/9789264036239-en>.

⁷ <https://www.budgeting.ie/>

⁸ <https://www.gov.ie/en/publication/8df24-reasonable-living-expenses/>

There is no right to housing in Ireland and many older persons live in inadequate housing. The most common cause of this is that their house is inadequately insulated. In 2020, more than one in eight persons aged 65+ in Ireland lived in a home “with a leaking roof, damp walls, floors or foundation, or rot in window frames or floor.”⁹ The Housing Adaptation Grants for Older People and People with a Disability have steadily diminished in value, in part due to grant sizes being reduced after the great recession, but also due to inflation since those changes.¹⁰ For the same reasons, the means testing has become stricter. These grants are currently being reviewed by the government.

Many mortgage products have a cut off at age 70, by which age they must be repaid. As most mortgages have a minimum term of 5 years, this means that a person aged 66 or older cannot get mortgage finance. No law or State policy prohibits or discourages this practice, or provides older persons with alternative means of accessing finance. Similarly, the Equality Acts permit age-based discrimination against older persons in the area of insurance, provided that the discrimination is informed by actuarial or statistical data or other relevant factors.¹¹

Older persons’ access to justice in the area of economic security is threatened by the numerous limitations placed on the civil legal aid scheme, including that legal aid is not available in quasi-judicial proceedings, meaning older persons do not have access to state-subsidized legal assistance in their interactions with the Workplace Relations Commission, the tribunal that hears complaints under the Equality Acts, nor the Social Welfare Appeals Office. A review of the scheme is currently being conducted by the government.

Older persons’ ability to advocate for their economic security is limited by the increased digitalization of public decision-making processes and particularly public consultations, which can exclude the 65% of older persons Age Action estimates either cannot access the internet or have below basic digital skills.¹²

In advancing the economic rights of older persons, Ireland faces a significant barrier in that it lacks a distinct government office that holds responsibility for issues relating to ageing and older persons. This is why Age Action has advocated for the establishment of the Commissioner for Ageing and Older Persons, similar to the Commissioners in Wales and Northern Ireland. A Commissioner would improve the efficiency and effectiveness of society’s approach to an ageing population by bringing an appropriate level of insight, representation and transparency to policy on ageing. This would include policy on economic security. Age Action supports the introduction of an international convention on the rights of older persons which would help to strengthen the focus on older persons’ rights.

⁹ https://ec.europa.eu/eurostat/databrowser/view/ILC_MDHO01/default/table?lang=en&category=livcon.ilc.ilc_md.ilc_mdho

¹⁰ https://www.ageaction.ie/sites/default/files/age_action_housing_adaptation_grant_review.pdf

¹¹ Equal Status Act 2000 S5(2)(d)

¹² https://www.ageaction.ie/sites/default/files/digital_inclusion_and_an_ageing_population.pdf