

**‘View from the Chair’ article published in the Business Newsletter, 14 March 2017  
by Dr Michael Wardlow, Chief Commissioner, Equality Commission NI**

**Progress needed on Age Legislation for goods, facilities and services**

At the time of writing, we remain without a legislative Assembly or an Executive. Any significant delay in restoring devolution means that important outstanding equality matters will be incapable of being progressed.

While some of these unresolved equality matters are self-evident, others, such as the need to end age discrimination in terms of access to goods, facilities and services may be less well known. Indeed, the absence of this protection may come as a revelation to some readers of this piece.

All of us have had the benefit of age discrimination legislation in employment for over a decade now, and it is critical that access to goods, facilities and services should have the same levels of protection. The Commission wants to see the introduction of legislation here that provides protection against such discrimination for people of all ages.

Pragmatically everyone would draw benefit from such protection, as all of us are growing older and would enjoy the benefits of such legislation. In the same way, we have all once been young people and so should be able to empathise with unnecessary restrictions and discriminatory attitudes against younger age groups. More significantly, perhaps, at a communal level, our society will always be made up of people of all ages, and we all have a duty to ensure that each person is treated fairly and given every opportunity to fulfil their potential – regardless of age.

A previous Executive did include a commitment to address this gap in its Programme for Government, this was seven years ago. A consultation on the proposed legislation took place in 2015 which recommended protection against discrimination, but only for those aged 16 and over. In respect of the consultation undertaken, just last week the Equality Commission published a report of its investigation into that consultation, arising from a complaint by the Northern Ireland Commissioner for Children and Young People. We found that the consultation had breached commitments in The Executive Office’s Equality Scheme. It had not adequately sought the views of all those directly affected, ensured accessibility or removed barriers to consultation for children and young people. Nor had it made all the relevant information available in a format which would ensure meaningful consultation.

Making discrimination on grounds of age unlawful in the sale of goods, access to premises, and provision of services generally, could have a significant impact for many businesses; though the underlying principles and practical steps which have to be taken to comply with any new law will already be familiar to businesses and services providers.

The basic requirement would be to ensure that people do not receive an inferior service, or have their access to a product restricted, simply on the basis of their age. In most cases that will be straightforward; but more care will be needed in some sectors where age has sometimes been used as a deciding factor. These could include health and social care, financial services, such as loans, credit or finance or insurance, or transport provision and access to facilities for entertainment.

Businesses may have concerns about what a change like this would mean for them, but it is only giving effect to what should be a core principle of any business – making sure their products and services reach the widest possible range of potential customers. It is good business to consider how the way you provide your services might impact on people of different ages. No business should wish to have procedures that have the effect of restricting their services to any age group without good reason.