

# AgeingMatters

in Ireland

## Demanding pension equality

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Why we volunteer 8-9

**Limerick leading**

Ireland's fastest ageing city 10-11

Patricia Cawley  
Age Action Member

AgeAction

For all older people



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■ Cover photo:  
Age Action member  
Patricia Cawley calling for  
pension equality.  
Photo: Paula Geraghty

# Opinion

## Steps towards worker equality



Eamon Timmins

Irish society took a small, but potentially significant, step along the road to greater equality for workers on 23 February, when the Government announced that it would not oppose proposed legislation to abolish mandatory retirement.

Age Action has campaigned for many years for the right of older workers to retire at age 65 (now 66) or to continue on working for as long as they wished.

Some want to continue working because they love their job. Others want to work a few more years to put money aside so they can retire with some financial security.

To our many members who campaigned on this issue, the abolition of mandatory retirement is a no-brainer. We regularly encounter older workers who have been forced out of jobs, despite being perfectly able and willing to continue, and (since 2014) onto Jobseeker's Benefit.

Deputy John Brady's Employment Equality (Abolition of Mandatory Retirement Age) Bill 2016, seeks to address the issue. The Government's announcement that it will not oppose it means that it now goes to committee stage.

### Nothing revolutionary

There is nothing revolutionary in what Ireland is doing. In fact, we are following other countries that have abolished mandatory retirement such as the US, New Zealand and Australia.

By doing so, we will also be implementing another part of Ireland's National Positive Ageing Strategy, published four years ago.

Our members played a key role in this latest success, with many contacting their TDs in the run-up to the Dáil debate. More will need to be done to ensure the Bill's progress does not get stalled, but many workers in years to come will benefit from your efforts.

Of course, the battle will not end when mandatory retirement is scrapped. Widespread ageism is likely to manifest itself in ageist attitudes towards older workers and this will be another barrier which will need to be tackled.

I recall when I joined Age Action 11 years ago, the then Chief Executive Robin Webster, told me that "advocacy is a marathon not a sprint". My heart sank when I thought of exhausted marathon runners collapsing over the finishing line and needing oxygen from paramedics, while happy sprinters lapped the track waving at the crowds!

But progress on the retirement age shows that steady, well-researched, patient advocacy work can get results. Because of the efforts of our members the message is slowly getting through to our policy-makers that Ireland needs to change to meet the needs of its ageing population.

— Eamon Timmins



▲ Part of the audience at a recent Age Action conference on the State Pension.

Photo: Paula Geraghty

# Progress on pension and sick tax but more to do

**In recent weeks Age Action has welcomed two separate announcements from the Government that benefit older people, while warning more must be done.**

In the first week of March the €5 increase in the top rate of the Contributory State Pension took effect, putting more money in the pockets of hundreds of thousands of pensioners.

“This is the largest pension increase in some time and is a big step in delivering Minister Leo Varadkar TD’s commitments to our senior citizens,” said Age Action’s Justin Moran

But he warned that the increase, which brings the top weekly rate to €238.80, is only the first step in restoring the incomes of pensioners.

The National Pensions Framework sets a target for the top rate of the State Pension of 35 per cent of average weekly earnings, which would be around €250.

Even with the latest increase more investment in the State Pension will be needed in this year’s budget.

“People were also disappointed that the increase was put back to March instead of delivered at the start of the year as normal,” Mr Moran went on, “and we cannot forget that many pensioners who

are not on the top rate would not have got the full five euro increase.”

## **Cut to Sick Tax**

In another welcome development Minister for Health Simon Harris TD announced a reduction in prescription charges for nearly 400,000 medical card holders over the age of 70.

The prescription charge, labelled the Sick Tax by Age Action, was reduced from €2.50 to €2.

“Since it was introduced the Sick Tax has risen by 500 per cent and one expert has identified it as being responsible for people skipping badly needed medication,” said Mr Moran.

“This cut in the charge will make a genuine difference to the many older people who have multiple prescriptions because they have a number of chronic illnesses.

“But we do hope that this is just the beginning and the Government is going to keep rolling back a tax that directly hits the poorest and the sickest people in our communities.”



◀ Age Action member Patricia Cawley with the report's author, Maureen Bassett.

Photo: Paula Geraghty

# Age Action **exposes** 2012 pension cut

**More than 36,000 pensioners had their pensions cut because of changes introduced to the State Pension in 2012 according to a new report published by Age Action.**

Thousands of retired workers are losing more than €1,500 a year with women pensioners suffering the most for taking time out of the workforce to care for their families. Age Action is calling for the cut to be reversed and for the incomes of these pensioners to be restored.

"We need to put to bed the myth that the State Pension was protected by the last government," said Senior Policy Officer Naomi Feely.

"It was cut, drastically cut, for tens of thousands of older people who have lost substantial sums of money as a result."

In 2012 the Government changed the eligibility criteria for the Contributory State Pension. While those entitled to a full pension were unaffected, many of those who would have been in line for smaller pensions lost out.

## **Women lose the most**

Women pensioners were hit hardest by the changes, widening an already unequal pension gap.

"Figures provided by the Department of Social Protection show that of the 36,000 people affected

by these changes so far more than 62 per cent are women," explained Naomi Feely.

"Because the current generation of pensioners get no benefit from the Homemaker's Scheme, it makes it difficult for them to qualify for a full State Pension."

## **Report launched**

The report was launched by Senator Alice-Mary Higgins who has a long record of campaigning for pension reform through her previous work with Older and Bolder and the National Women's Council of Ireland.

"This report sheds much needed light on the disproportionate impact which recent changes to the contributory pension criteria have had on women in Ireland, adding a further injustice to the deep historic gender inequalities within our pension system," said Senator Alice-Mary Higgins.

Age Action is calling on the Minister for Social Protection, Leo Varadkar TD, to reverse the pension cut introduced in 2012 and backdate it to restore the incomes of tens of thousands of Irish pensioners.



# ‘Mean and sneaky cut,’ says Patricia

With the exception of four years after I married my husband I worked my entire life, Age Action member **Patricia Cawley** told the audience at the launch.

Just before I turned 65, my manager came to me and asked if I would like to stay on for another year.

Although I had been looking forward to retirement, I liked where I worked so even though the salary was not much better than the pension I stayed on.

Unfortunately, and unknown to be, the Government was changing the pension system.

The changes came into effect in September of 2012 and it meant that when I retired for good in March 2013 I was suddenly, and without any explanation, told I was entitled to a pension of €196 – a cut of €30 a week.

## €1,500 a year

Thirty euro might not sound like a lot of money to some people but I can tell you it makes a difference for me. It’s more than fifteen hundred euro a year.

The really frustrating thing is that if I had not stayed working, I would have got a better pension. I was punished by the Government for working.

If I had known that for the rest of my life I would be losing €30 a week I would have retired in 2012



▲ Orla O’Connor of the National Women’s Council of Ireland and SIPTU’s Lorraine Mulligan backed the report.

Photo: Paula Geraghty

## Pensions cut raised in Leinster House

Politicians reacted quickly to the publication of Age Action’s report and Deputy Tommy Broughan raised it directly with the Taoiseach in Leinster House during Leader’s Questions.

Under robust questioning from the Independent TD the Taoiseach agreed to refer the matter to an Oireachtas Committee on Budgetary Oversight.

Days later Minister for Social Protection Leo Varadkar TD was tackled on the matter by Deputy Broughan again and by Deputy Richard Boyd Barrett.

### Act now

Age Action is currently lobbying TDs and senators to try and get this issue addressed in the coming budget.

“I can’t stress enough how important it is that TDs are hearing from pensioners on this,” said Age Action’s Justin Moran.

“Pick up the phone, write a letter, send an email – if our elected representatives aren’t hearing from the people affected they’re not going to understand how big an issue this is.”

but this mean and sneaky cut was brought in without any effort made to tell people like me.

A lot of the cuts that were brought in during the recession are now being reversed and peo-

ple are getting back some of the money that they lost.

I believe we too have the right to have a mean and unfair cut to our pensions reversed and for people to have their pensions restored.

# Mandatory retirement bill clears first Dáil hurdle

A Bill to abolish mandatory retirement clauses in Irish employment contracts received unanimous support in the Dáil in February, enabling it to begin proceeding through the legislative process.

The Bill was introduced by Sinn Féin TD John Brady and attracted support from individuals affected by mandatory retirement, ageing organisations, unions and from Age Action, which has led the campaign on ageism in employment.

“Every year workers are forced to retire for no other reason than their age,” Deputy Brady told the Dáil. “This Bill seeks to put an end to this discrimination and give workers choice when it comes to their retirement.

“Instead of being obliged to retire without any choice whatsoever at 65 or 66 years old, workers will be able to decide if they would like to retire immediately or continue working.

“This Bill will also address two major pension issues. It will end the current practice of those forced to sign on for Jobseeker’s payments at 65 for one year until they are eligible for the State Pension at 66.



▲ The Bill was jointly proposed by Sinn Féin TDs John Brady and Denise Mitchell.

“It will give people who have insufficient contributions for the State Pension an opportunity to continue at work to make up the additional contributions to avoid a reduced pension if they so wish.”

### Government welcome

The Bill was welcomed on behalf of the Government by David Stanton TD, the Minister of State for Justice with special responsibility for Equality, Immigration and Integration, who campaigned on the issue in the last Dáil.

Minister Stanton highlighted areas in the proposed Bill that need to be strengthened, say-

ing, “We would not want a Bill that could have serious adverse or unintended consequences arriving on the Statute Book where the State would then be vulnerable”.

Sinn Féin made clear the party would approach any amendments with an open mind and welcomed additional support from Fianna Fáil’s spokesperson for older people Deputy Mary Butler.

The next step for the Bill is for it to be examined in detail by the justice committee to ensure that it is robust, fair, effective and protects those older workers who would like to stay in employment longer.



▲ The cost of long-term care can cause stress for many families.

## Carers losing millions of euro

Up to a third of eligible taxpayers appear to be unaware they can get sizeable tax reliefs to offset some of the cost of nursing home fees, homecare costs and medical expenses, writes *Irish Independent* personal finance editor **Charlie Weston**.

Caring for relatives who have become ill or infirm, or for children who have disabilities of a permanent nature, is a heavy financial burden for thousands of families.

The cost of care is hugely expensive but according to Taxback.com's commercial director Eileen Devereux tax relief at up to 40 per cent is available for those funding nursing home fees.

Large numbers of the 30,000 people in nursing homes are part of the State's Fair Deal scheme, where costs are covered largely from the resident's pension and by the State taking a chunk of the value of their home.

But not everyone qualifies for this scheme, and other costs may also be incurred even for those in the Fair Deal scheme.

### Taxpayers unaware

"We believe many people are unaware they are eligible for a tax rebate on 'carer' expenses incurred on a regular basis," Ms Devereux said.

"These rebates could go a long way to alleviating

at least some of the financial burden people are under."

According to figures from the Revenue Commissioners, just 1,910 people claimed the Person Employed to Take Care of an Incapacitated Individual tax credit in 2014.

Ms Devereux said her firm's experience suggests that this figure is relatively low considering a number of homecare agencies have more clients on their books than this.

She said 20,300 people claimed the Incapacitated Child Tax Credit in 2014.

However, in the 2011 Census, more than 106,000 families indicated they had a child with a disability. "While not all of these families may qualify for the tax credit," she continued, "we are confident that the number could be higher than the current 20 per cent currently claiming it."

"Taxpayers can submit a claim by completing a Form HK 1," Ms Devereux said. "For 2016, you can claim tax relief at the higher rate on the actual cost incurred up to the maximum of €75,000."



▲ Hana hard at work preparing for another class.

# The story of how I met ‘Humanity Dick’

Five years ago I came to Ireland to join my husband, who had then been working here for three years, writes **Hana Niedermeierova**. I was already fifty at that time and it was sometimes tough to find a job.

I knew that it was very important to know the language of the country you live in so during periods of unemployment I tried to find some activity where I could speak with local people. One day I learned that there was a charity in Galway called Age Action, where older people learned how to use computers.

I was a little bit shy when I met my first student, but I soon realised that this activity is very mutually beneficial.

I was challenged to understand spoken English and the experience broadened my vocabulary, while the students learned new activities on a computer step-by-step and became

more confident in using it.

Very often they came because they planned to use a computer for just one thing, but most of them became regular computer users afterwards.

### **Brid’s story**

Emotionally I was probably most touched by the life story of Bríd. She was an older lady who had recently buried her son who died of a brain tumour at the age of thirty.

Before he passed away the





family managed to organise a proper wedding ceremony for him and his bride. Sadly, shortly after the wedding he died.

His wife wrote a beautiful message in praise of her husband. Bríd was deeply moved and wanted to share it with her relatives and friends. The text was in a Word document and she needed to know how to send it as an attachment by email.

So, shortly after the burial of her son, she enrolled in the Getting Started Programme with Age Action. Using a computer at that difficult period of her life helped her to stay in touch with other family members and I hope that it helped her, at least a little, to get over that sad time.

### Solving traffic problems

Pat was another very interesting student. A retired Garda, he had a very interesting idea to solve Galway's terrible traffic problems. He wanted to email the appropriate authorities. Together we formulated his suggestions and he sent them to Galway City Council. Pat also insisted that we send his suggestions to the Keith Finnegan Show on Galway Bay radio.

Imagine my surprise when Pat called me the next morning to tell me that he would be interviewed live on air!

Pat is also a very active member of his community and contributed to a history of the local parish. By email he contacted a local expert and they prepared a presentation of their research for the local community. One day Pat got an email with attachments from his contact.



▲ Congratulation to another group of fantastic learners and tutors from Cisco Systems in Galway.

## Humanity Dick helped found the Society for the Prevention of Cruelty to Animals and was one of the first politicians to campaign against bear-baiting and dog-fighting.

### Bear-baiting and dog-fighting

In the attachments there were a few copies of *The Tuam Herald* dating back to 1888. But Pat had a problem. He didn't know how to open the attachments or how to enlarge the text to a readable size. So I showed him how and we found some very interesting

stories about Galway in the 19th century.

Among other characters it mentioned one of his own predecessors, a member of his family who was a very successful doctor in Connemara.

The other person mentioned in the newspaper was Richard Martin, known as "Humanity Dick" and Pat told me about his work protecting animal rights.

He helped found the Society for the Prevention of Cruelty to Animals and was one of the first politicians to campaign against bear-baiting and dog-fighting.

Some time later I saw an advertisement for a great play called *Humanity Dick* and I decided to go. Without my student I would never have known Richard Martin's story and that's just one example of everything I have been privileged to learn from my students!



▲ Smart Ageing Cities and Towns symposium organised in Limerick by the Ireland Smart Ageing Exchange.

Photo: ISAX

# Limerick **leading** the way

Recently, I found myself in a deep discussion about ageing, writes **Nigel Dugdale**, not because I am concerned about the odd grey hair but for a far more important reason.

You see, Limerick is Ireland's fastest ageing city. Fact. This fascinated me yet I found the concept slightly disconcerting.

"Here we are talking about pedestrianisation in the city centre," I thought. "Maybe we should be focussing more on chairlifts and loudspeakers on street corners instead."

My reaction is exactly what those working in areas focussed on our ageing population would expect. I was immediately associating the word 'ageing' with negative stereotypes such as decrepitude and death.

## **I was ageist**

The fact is I was ageist in my reaction to the fact that Limerick is getting old, and fast.

The best estimates of Ireland's population in 2015 indicate a significant change. Between 2010 and 2015, the proportion of Ireland's population over the age of 65 grew from 11.3 per cent to 13.1 per cent.

This represents an increase of nearly 100,000 people in the over 65 age group in just five years. In contrast, it took 30 years, between 1970 and 2000, for the population of over 65s to increase by the same figure.

In 1970 you got the State Pension at the age of 70, yet an average man lived to 68 and woman to 72. Therefore, if you were lucky, you worked all your life, got a few months' respite, and then popped your clogs.

In more recent times things have changed slight-

ly. In 2012 the State Pension was provided at age 66 with men now expected to live to 78.4 years and women going that bit further with a life expectancy of 82.8 years.

Simply put, we have seen a huge increase in life expectancy in the last decade and this trend is set to continue, obviously resulting in a much longer lifespan post retirement. In fact, many of our younger population can now legitimately expect to hit the 100 mark.

### Strategy for ageing

What I am delighted to see is that we here in Limerick are already preparing for the fact that our population is ageing. In 2015 Limerick City and County Council launched its Age Friendly Limerick Strategy 2015-2020.

Limerick's ambition means it will become a great place to grow older. The city will provide easier accessibility to public buildings, shops and services. Older people's views will be taken into account when it comes to key decisions being made about Limerick.

The city will also focus on promoting a positive attitude to ageing and address stereotypes about older people as well creating opportunities for

older people to be engaged with their Limerick as employees and as volunteers.

In relation to the retirement concept, and particularly those who may now choose early retirement, it is also very interesting to note that Limerick has recently become home to ISAX or the Irish Smart Ageing Exchange.

### Smart ageing economy

This group is a new independent network which delivers a 'joined up approach' to fast-tracking the R&D and commercialisation of solutions for the global smart ageing economy – an economy projected by Merrill Lynch to be worth \$15 trillion by 2020.

Limerick is firmly focussed on a plan to deliver a positive future for our city. The 2030 Economic and Spatial Plan aims to create a new Limerick.

It is clear that we are already ahead of the game when it comes to treating our ageing population as an important and valuable part of the city's community.

**Nigel Dugdale is a newspaper columnist and passionate Limerick man who blogs at [www.nigeldugdale.ie](http://www.nigeldugdale.ie).**



▲ Limerick City's iconic King John' Castle.

Dear Age Action,

I lived and worked in Leeds for a number of years in the 1980s. I'm home now and get an Irish pension but could I be entitled to a British pension from when I worked there?

Noel, Wicklow.

## Are you **entitled** to a British pension?

The short answer yes! If you have made social welfare contributions while working in England – or Scotland, Wales or the North for that matter – then you can use these to supplement your Irish social insurance contributions, writes **Gerry Scully**.

When you apply for the Irish pension you should tell them when and where you worked in Britain. Then, if you do not have enough contributions in Ireland to get a full contributory pension, the Irish Department of Social Protection will contact their counterparts in Britain.

Your contributions in Britain may get you a full contributory pension in Ireland or, at the very least, give you a slightly bigger pension payment.

On the other hand if you are getting a British pension but your income is inadequate you could apply for an Irish non-contributory pension.

### Winter Fuel Payment

Remember though, if you have no payment from the Irish State you are entitled to a medical card under EU regulations. You could also, in certain circumstances, be entitled to the British Winter Fuel Payment if you have lived in Britain even if



▲ Bernadette and Phil from the Information Team running a stand in a local library.

you are not getting a pension.

British pensions are dealt with under EU regulations and bilateral agreements. We cannot say how these regulations will be affected by Brexit but Age Action has raised the matter with the Department of Social Protection and it is in everyone's best interests to ensure the incomes of our pensioners are protected.

There are 135,000 people in

Ireland getting a British State Pension and 70,000 with private British pensions. There are also 30,000 people in Britain who get Irish state pensions.

You can get the details about your British entitlements at [www.gov.uk](http://www.gov.uk) or you can contact the Age Action Information Service at 01 475 6989 or [helpline@ageaction.ie](mailto:helpline@ageaction.ie).



▲ Marie O'Gorman with Jordi Tolra from the Vincles Project, which tackles isolation among older people in Barcelona, and Philip O'Reilly from Respond!.

# Marie inspires at Respond! conference

**Former Silver Surfer and Age Action member Marie O'Gorman was the star turn at a recent Respond! Housing conference on tackling loneliness held in St John's College, Waterford.**

The conference drew experts from Ireland and abroad to explore how new technologies could be used to tackle loneliness among older people.

"Loneliness is a killer," Respond! Chief Executive Officer Declan Dunne told the conference.

"This is no exaggeration. A 2010 review of over 140 studies found that the influence of social isolation on early mortality is comparable to well-established risk factors such as smoking and has a greater impact than factors such as obesity."

"We have to ensure our older relatives and friends do not become even more isolated in this new information age and, in fact, learn to use and be comfortable with new technology which will enable them to stay in touch with their families and be involved in the national conversation."

This was the cue for Walkinstown's Marie O'Gorman, one of Age Action's most energetic ambassa-

dors for computer training, to give academics and policymakers an insight into how getting online changed her life.

"My daughter and her family moved to Armenia 12 years ago," Marie explained. "It was hard at first because it would often take weeks for their letters to arrive and the phone signal was bad, so a friend said to me, 'Why don't you learn to do emails?'"

## **A whole new life**

"I went on an Age Action computer course and it gave me a whole new life. Now I email family members all over the world, from London to Los Angeles.

"I have five grandchildren in Armenia and when the older ones wanted to know how to knit some fancy lace scarves, I showed them how to do it on Skype. They were thrilled and went off to show their Armenian friends how to knit too."

Hopefully Minister of State for Training, Skills and Innovation John Halligan TD, who spoke at the conference, was paying attention and we will see more support from the Government to help older people get online.



▲ Máiread Manton, who relies on assistive technology to enable her to communicate.

# Unlocking potential of **assistive** technology

**‘I love my iPad, it has changed my life completely. It is like I still have my family, I feel they might as well be with me... I know what’s going on.’** — Jane Smith

**Jane is an example of someone for whom technology has become a lifeline, writes Pierce Richardson.**

She has five adult children living outside Ireland. She is in constant communication with her children and grandchildren. Through technology she is able to have deep and meaningful

relationships with her grandchildren. She is by no means alone, as we are all too well aware there are so many families in Ireland now living further apart.

More and more, technology is used to support people not only to keep in touch but also to improve their ability to live more independently. For example, technology such as video door systems and environmental con-

trols to manage lights and the TV all help to keep people safe in their home.

Assistive Technology, or AT, covers a wide range of products and offers tools to increase or support your independence. It can give you increased access to family, community activities and has a positive effect on all those around you.

**Smarter, smaller and lighter** Technology is becoming smarter, smaller and lighter and so it has become more accessible. As this trend continues it is blurring the line between technology devel-

oped for the mainstream market and technology developed as assistive technology.

Siobhán Long, National Manager of Assistive Technology and Seat-tech Services with Enable Ireland, said that, “failing to pay attention to these developments creates wider gaps between the generations, deepening the divide.”

Joan O’Donnell, Development Manager with the Disability Federation of Ireland, agrees but highlights that, “the current lack of service co-ordination for AT between the different agencies means that those who require AT, find it extremely challenging to know what they need and to secure those assistive technologies in a timely manner. Many who would benefit from AT are not even aware of what is available.”

She goes on to say that, “on top of that a cumbersome application processes frequently puts people off. We have no way to adequately access assistive

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## Failing to pay attention to these developments creates wider gaps between the generations, deepening the divide.

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technology in Ireland and this is something we need to change.”

*Assistive Technology for People with Disabilities and Older People* is a new discussion paper from Enable Ireland and the Disability Federation of Ireland that makes a series of very practical proposals.

### AT Passport

The main recommendation is the introduction of an Assistive Technology Passport, which

would have the potential to streamline the way in which people gain access to Assistive Technologies.

“It is the foundation upon which we can build a comprehensive Assistive Technology service provision, from quality information to assessment, provision of technologies and training support,” said Ms O’Donnell.

The AT passport is a way of pulling together the efforts of different government departments to build a sustainable and consistent approach to AT and deliver better results for people.

Assistive Technology isn’t just about independence at home. It allows people to access community activities and services which are increasingly making information available online such as libraries, churches and clubs.

A rethink is needed within the Government to make AT available to all who need it, to complement home supports and to broaden the range of options available to support people to live independently.

The challenge then is to create a comprehensive assistive technology service that is fit for purpose.

**If you want to be involved in shaping the future for assistive technology or you are interested in further information, please contact Pierce Richardson at the Disability Federation of Ireland at [piercerichardson@disability-federation.ie](mailto:piercerichardson@disability-federation.ie).**




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◀ Christine McCarthy, Siobhán Long and Joan O’Donnell launching the *Assistive Technology for People with Disabilities and Older People*.

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▲ Making a will could save your family a lot of trouble.

# Wills and **protecting** the family home

Have you ever heard of the Succession Act 1965, asks **Dr Kathryn O'Sullivan** of the University of Limerick's School of Law.

For some it might ring a bell in a distant corner of the brain while for others it may be totally unfamiliar. But the Succession Act 1965 is one of the most important pieces of legislation in Ireland.

As well as giving instructions on how to make a valid will, the Act lays down the rules which dictate how a deceased's estate should be distributed.

At present, a surviving spouse is entitled to what is known as a 'legal right share' when their husband or wife dies having made a will. How big this share is will depend on whether the deceased also had children.

If a deceased has made a will and is survived by a spouse and no children, the surviving spouse is entitled to one-half of the estate.

If a deceased has made a will and is survived by a spouse and children, the surviving spouse is entitled to one-third of the estate.

## **Without a will**

A different system operates where a spouse dies intestate – that is, without a will. Again, however, the level of provision will depend on whether the deceased had children.



Where a deceased dies intestate and is survived by a spouse and no children (or other descendants), the surviving spouse takes the entire estate.

Where a deceased dies intestate leaving a spouse and children (or other descendants), the surviving spouse is entitled to two-thirds of the estate.

It might seem as though these shares are quite generous but the unfortunate truth is that surviving spouses in Ireland may receive significantly less than spouses in other countries and can all-too-often be left in a very vulnerable financial position.

Consider the following scenario: *Patrick and Mary are married with two children. Patrick is the sole-owner of the property. The house is worth €180,000 and the couple have little other assets or savings. What happens if Patrick dies intestate without a will?*

### **No automatic inheritance**

Contrary to common belief, a surviving spouse in Ireland does not automatically inherit the family home.

Instead, where the home was held in the name of one spouse, it must be distributed under the Succession Act 1965. In Ireland, as noted, a surviving spouse like Mary will receive two-thirds of the estate. She would therefore be entitled to €120,000 from the estate, equivalent to two-thirds of the house.

Their children would be entitled to share the remaining €60,000 between themselves, the final one-third of the house. There is only very limited opportunity under the 1965 Act for Mary to



▲ Dr Kathryn O'Sullivan of the School of Law at University Limerick.

seek any more provision from the estate should she need it.

Albeit unlikely, if the children wish to 'cash in' their entitlement, they may seek the sale of the family home.

By contrast, in England, Wales or Scotland a surviving spouse like Mary would automatically be entitled to the entire estate including the family home.

In these jurisdictions, the importance of ensuring the financial security of a spouse like Mary outweighs the need to provide any automatic entitlement for the couple's children.

### **More vulnerable**

Surviving spouses in Ireland are much more vulnerable under the

Succession Act 1965 than their counterparts in other countries, especially on intestacy.

The most obvious way of reducing this threat to surviving spouses must be for all couples to ensure they have made a will making appropriate provision for their husband or wife.

Yet while the public ought to be encouraged to make a will, the reality is that many people will continue to die intestate whether by accident or design.

As our population ages and the costs associated with care of the elderly soar, we need to put pressure on the government to reform the Succession Act 1965 and improve the entitlements of surviving spouses in Ireland.



▲ Chairperson of the Citizens' Assembly Ms Justice Mary Laffoy.

## Have **your** say on ageing in Ireland

**The Citizens' Assembly is inviting members of the public, representative groups and citizen organisations to make submissions on the second topic the Assembly will consider, 'The Challenges and Opportunities of an Ageing Population'.**

The Assembly was set up by the Government to look at a range of issues including the eighth amendment to the Constitution, fixed term parliaments, referendums, climate change and planning for an ageing population.

The Assembly is an exercise in deliberative democracy that places the citizen at the heart of important legal and policy challenges facing Irish society.

It is made up of the Chairperson, Ms Justice Mary Laffoy, and 99 citizens, randomly selected to be broadly representative of the Irish electorate.

"The challenges and opportunities of an ageing population is the second topic the Assembly will be tasked with considering and making recommendations on," said Ms Justice Laffoy.

"It is important that we hear a range of opinions and therefore I would encourage people, both young and old, to make a submission and bring their views to the Assembly. The submissions play a key role in helping to shape the Assembly's discussions."

### Get involved

The submissions process will formally open on 3 April with a closing date of 5 May 2017 and Age Action is strongly encouraging people to get involved.

"This really is an opportunity for everyone," said Age Action's Justin Moran. "Don't leave this process to organisations like us."

"It's so important to have your say, to set out in a short letter or email what you think Ireland must do to make this country the best place in the world in which to grow old."

All documents received by the Assembly secretariat may be listed on the website, in order of date received and displayed with a name/name of organisation and the title of the submission.

**Submissions can be made online at [www.citizensassembly.ie](http://www.citizensassembly.ie) or by post to Citizens' Assembly, 16 Parnell Square, Dublin 1, to arrive no later than 5 May 2017.**

# Congratulations to our NUIG graduating class

A delighted group of learners and tutors celebrating the successful end of a Getting Started course run by biomedical students from the National University of Ireland Galway under the Community Knowledge Initiative.

Huge thanks to our fantastic tutors in the back row, Tomas Duffy, Níamh Moreton, Siobhán McDonagh, Lisa King and Emmanuel Aina.

And congratulations to our



learners in the front row, Gail Curry, Mary O'Brien, Anne Forde and John Forde.

The project was organised by the Institute for Lifecourse and Society in NUIG.

## U3A groups

### 📍 Active Virginians U3A

Patricia at (087) 235-0515

### 📍 An Cosán U3A Tallaght

Imelda at (01) 462-8488

### 📍 Ballymun U3A

Peter at (087) 292-4001

### 📍 Ballyroan U3A

June at (01) 494-7030

### 📍 Blackrock U3A

Eileen at (087) 418-8607

### 📍 Blessington U3A

Peter at (087) 815-1018

### 📍 Bray U3A

Linda at (086) 045-1600

### 📍 Carrick-on-Shannon U3A

Margaret at (086) 837-2934

### 📍 Club 50, Donegal U3A

Anne at Annegallagher60@yahoo.ie

### 📍 Dublin City U3A

John at (01) 201-7490

### 📍 Dun Laoghaire, Dalkey, Killiney U3A

Email dldk@gmail.com

### 📍 Galway U3A

Livio Rocca at u3agalway@gmail.com.

### 📍 Maynooth U3A

Helena at (01) 628-5128.

**For more information, email Sam O'Brien-Olinger, U3A Development Officer, at [u3a@ageaction.ie](mailto:u3a@ageaction.ie) or phone (01) 475-6989.**

### 📍 Lucan U3A

Mary at [lucanu3a@gmail.com](mailto:lucanu3a@gmail.com).

### 📍 Monaghan U3A

Eamonn at (087) 918-6567

### 📍 Newcastle, Dublin 22 U3A, Retired Active Men's Social

Matt at (01) 458-9007

### 📍 Roscommon U3A

Sam at (01) 475-6989

### 📍 Rusheen Woods, Galway, U3A

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### 📍 Sutton-Baldoyle U3A

Christine at (01) 832-3697

### 📍 Tramore U3A

Mollie at [molliehunt@eircom.net](mailto:molliehunt@eircom.net)

### 📍 Waterford U3A

Josephine at (051) 871-037

# New research highlights contribution of older people

New research from the Irish Longitudinal Study on Ageing (TILDA) has brought home again the important role older people are playing in Irish society.

The results show that half of older adults provide regular childcare to their grandchildren, half engage in volunteering to varying degrees, and the vast majority of financial transfers are from older adults to their children rather than vice versa.



▲ Professor Rose Anne Kenny, Principal Investigator for TILDA, and Minister Marcella Corcoran-Kennedy TD at the launch of the research.

## Annual membership application

I wish to join Age Action and enclose € ..... membership fee, plus €..... voluntary donation payable to Age Action Ireland Ltd.

If you are already an existing Age Action member and wish to renew your membership, please write your membership number here .....

Full name: ..... (Block capitals please)

Address:.....

Tel: .....

Email: ..... (Block capitals please)

Date: .....

### FEES

- €20 Individual – retired/unwaged
- €40 Individual – employed
- €60 Voluntary Body
- €200 Statutory Agency
- €500 Commercial

### STANDING ORDER

To the Manager (Name of Bank/Building Society) .....

Bank Address: .....

Please pay annually to Age Action Ireland, Permanent TSB, 70 Grafton Street, Dublin 2, BIC: IPBSIE2D

IBAN: IE82 IPBS 9906 2587 7790 21

the following amount € ..... until further notice. Starting on: 1st day of January 20 .....

Name: ..... (Block capitals please)

BIC: .....

IBAN:.....

Signature:.....

### Please return to:

Membership Development, Age Action Ireland Ltd, 30/31 Lower Camden Street, Dublin 2. Email: membership@ageaction.ie Tel: (01) 475 6989 Fax: (01) 475 6011