



Commissioner for Older People  
for Northern Ireland

Violence Against the Person Branch  
Victims Support Division  
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29/07/25

**Re: Consultation on the proposal to increase the existing maximum sentences for the offence of causing or allowing a child or vulnerable adult to die or suffer serious physical harm**

Dear Sir/Madam

Thank you for the opportunity to respond to this consultation, one which the Commissioner for Older People for Northern Ireland (COPNI) welcomes. COPNI has a statutory duty to safeguard and promote the interests of older people across Northern Ireland. Often, this includes advising government on the development of laws, policies and procedures that affect the protection of older people. This duty is thus particularly relevant when considering criminal justice responses to abuse or neglect that leads to the most serious consequences - the death or serious physical harm of a vulnerable adult. It is essential that the justice system treats such offences with the seriousness they warrant, that the penalties are proportionate and serve as a clear deterrent to perpetrators.

For context, the Department of Justice (DoJ) propose to increase the maximum sentences for causing or allowing the serious physical harm or death of a child or vulnerable adult as follows:

*(1) In respect of “causing or allowing a child or vulnerable adult to die”, we propose that the maximum sentence should be increased from the current 14 years maximum to life imprisonment. This would give the courts the powers to impose a minimum custodial period before a person would be eligible for consideration for release from prison. When the person was released, they would be on licence for the remainder of their life; and*

*(2) In respect of “causing or allowing a child or vulnerable adult to suffer serious physical harm”, we propose that the maximum sentence should be increased from the current 10 years maximum to 14 years.<sup>1</sup>*

Older people can experience abuse and harm differently than other age groups. In our *Growing Concern* report,<sup>2</sup> COPNI highlights a range of distinct factors that can increase older people’s vulnerability to experiencing abuse, as well as complicate their ability to report and seek help. For instance, reduced mental capacity can limit an older person’s ability to recognise abuse as such, recall incidents or communicate their experiences with others. Physical frailty or mobility challenges can make it more difficult for older people to escape abusive situations or defend themselves. Older people are also more likely to be dependent on their abuser for financial or care reasons. The prevalence of generational attitudes that view abuse as a private, family matter can further prevent older people from disclosing their experiences. These factors, among others, can combine to make older victims less visible, until it results in the most serious consequences, including serious physical harm or death.

When abuse leads to serious physical harm or death, the legal system must have the appropriate tools to recognise the distinct experiences of older people and hold perpetrators to account. The current maximum sentences may not always reflect the gravity of the harm caused or the vulnerability of the victim. Increasing the sentences is a significant step in acknowledging the seriousness of the offence. COPNI’s *A Different Crime* report<sup>3</sup> notes that there are “significant, identifiable trends and recurring attitudes underpinning much offending against older people”, including the perception of physical weakness of the older victim, the perception of the older victim’s limited social connections, as well as the perception of the older victim’s increased fear to report crime and pursue criminal proceedings. Increasing the sentences for the offence of causing or allowing serious physical harm or death of a vulnerable adult may act as a deterrent to potential abusers. The stronger sentencing framework sends a message that these offences will not be tolerated and will be met with robust penalties.

While supporting the proposals, COPNI will take this opportunity to highlight that they must be accompanied by a wider package of measures to improve adult safeguarding, prevent abuse and support older people navigating the criminal justice system. The Commissioner urges the Department to work collaboratively to take forward an approach which prioritises the protection of vulnerable adults. This includes aligning criminal justice policies and procedures with the

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<sup>1</sup> DoJ (2025) ‘[Public Consultation, Proposal to increase the maximum sentences for the offence of causing or allowing a child or vulnerable adult to die or suffer serious physical harm](#)’, pages 7 and 8.

<sup>2</sup> COPNI (2024) ‘[Growing Concern: Older Victims of Domestic Abuse in Northern Ireland](#)’.

<sup>3</sup> COPNI (2023) ‘[A Different Crime: Offending Against Older People](#)’, page 22.



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new Adult Protection Bill, currently being brought forward by the Department of Health (DoH).<sup>4</sup> The Bill represents a significant step towards establishing a legislative framework to safeguarding adults at risk of harm. Together, both these reforms must form part of a coordinated approach that protects adults at risk and holds perpetrators to account.

To conclude, COPNI supports DoJ's proposal to increase the maximum sentence for the offence of causing or allowing a vulnerable adult to suffer serious physical harm or to die. Such a change is appropriate, proportionate and reflects the significance of these offences. In previous correspondence to DoJ, COPNI has reiterated that the needs of older victims are not yet fully understood or addressed by the criminal justice system, and older people can face significant barriers to justice.<sup>5</sup> This proposal represents a significant and welcome step in ensuring "fairness and equality" for older people.<sup>6</sup> COPNI is hopeful it will be accompanied by similar actions to guarantee the criminal justice system is responsive, inclusive and effective in protecting older people, especially in the context of our ageing population.

I would welcome the opportunity to discuss this response, or the proposal further should it be necessary or helpful.

Best wishes

**Anna Doran**

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**Commissioner for Older People for Northern Ireland**

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<sup>4</sup> Northern Ireland Assembly (2025) '[Adult Protection Bill](#)'.

<sup>5</sup> COPNI (2025) '[Consultation on Draft Victims and Witnesses of Crime Strategy 2025-2030](#)'.

<sup>6</sup> DoJ (2025) '[Public Consultation, Proposal to increase the maximum sentences for the offence of causing or allowing a child or vulnerable adult to die or suffer serious physical harm](#)', page 10.