

Human Rights and Safeguarding Older People:

A Wales-focused perspective within a UK and international context

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Why Human Rights Matter in Safeguarding

Human rights begin “in small places, close to home” (Eleanor Roosevelt).

Safeguarding is not a welfare add-on - it is the practical delivery of Articles 2, 3, 5 and 8 ECHR.

Older people experience a persistent **human rights deficit**.

The Human Rights Deficit

Ageism as a structural barrier.

Invisibility of older people in human rights law.

Limited ECtHR jurisprudence on age discrimination.

Welfare responses risk displacing justice responses.

Safeguarding is a Human Rights Function

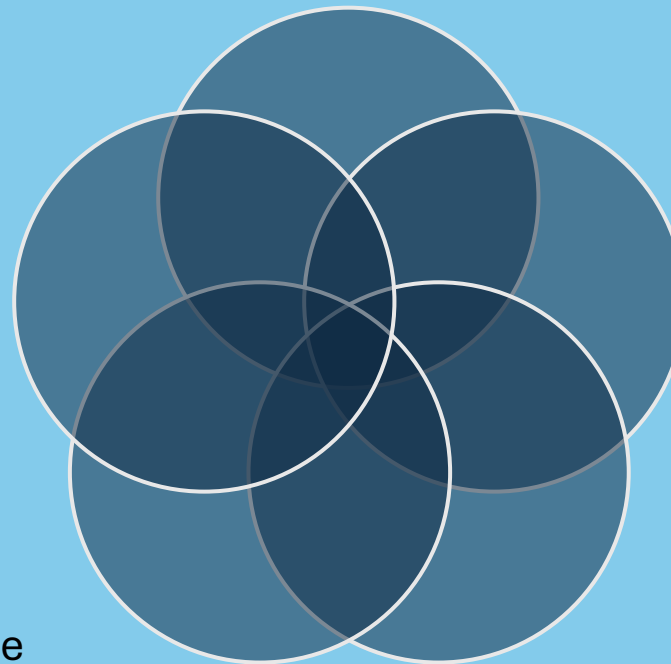
Article 2: duty to protect life.

Article 14: non-discrimination, including age.

Article 3: freedom from degrading treatment.

Article 8: autonomy, private life, dignity.

Article 5: liberty and security.



Wales: Strengths

Social Services
and Well-being
(Wales) Act 2014.

Well-being duty
includes
protection from
abuse and neglect.

National
Safeguarding
Procedures.

Commissioner for
Older People

“Due regard” to the
UN Principles for
Older Persons

National action
plan to prevent the
abuse of older
people

Wales: Gaps and Challenges

Definition of
“adult at risk” too
narrow.

APSOs
under-used:
regional variation.

Parallel
safeguarding and
domestic abuse
systems.

Lack of national
dataset and
outcomes
framework.

Criminal justice
not devolved -
structural
misalignment

Domestic Abuse in Later Life

Coercive control is often missed in older victims.

Older people diverted into welfare pathways.

Need for equal access to justice options.

Integration between SSWBA and VAWDASV Act still has some way to go.

The human rights lens: what difference does it make?

A human rights lens changes safeguarding in three ways.

- **1. It reframes the person as a rights-holder, not a service user**
- **2. It strengthens accountability**
- **3. It exposes structural injustice**

What Needs to Change

Stronger, rights-based definition of “adult at risk”.

Integrated safeguarding/domestic abuse pathways.

National safeguarding performance framework.

Better forensic evidence collection

Better access to advocacy.

Workforce human rights literacy.

Explicit challenge to ageism in policy and practice.

Closing Reflections

Safeguarding older people is safeguarding their human rights.

Wales has ambition and strong legislation -but alignment is the challenge.

“The rhetoric of concern must be matched with credible action.”

A rights-centred approach ensures dignity, justice, and safety for all older people.

Learning from what goes wrong!



- Safeguarding is not the work of rescuing people from their lives, but the work of ensuring they can live them with dignity, safety, justice and choice.
- Safeguarding asks us to do one simple thing: to see the person, search for the truth, and act in a way that recognises and respects their humanity.