

Date: 26 September 2025

Philip McGuigan MLA
Chair of the NI Assembly Health Committee
Room 410, Parliament Buildings,
Ballymiscaw,
Stormont,
Belfast,
BT4 3XX

By email: adult.protection@niassembly.gov.uk

Dear Mr McGuigan

**RESPONSE TO CALL FOR EVIDENCE AT THE COMMITTEE STAGE OF THE ADULT PROTECTION
BILL**

The Probation Board for Northern Ireland (PBNI) welcomes the opportunity to respond to the call for evidence at the Committee Stage of the Adult Protection Bill. As a named body in the draft Bill, the PBNI welcome this opportunity to offer its views to the Health Committee on the objectives, proposals and potential consequences of the Bill.

Should you require further information about the PBNI response, we would be pleased to discuss it at any point.

Yours sincerely,



Amanda Stewart OBE

Chief Executive

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Response of PBNI on the Adult Protection Bill

PBNI welcomes the introduction of the Adult Protection Bill and is pleased to have the opportunity to provide a formal response as part of the legislative process. PBNI is a Non-Departmental Public Body sponsored by the Department of Justice. The role of PBNI is to reduce reoffending and help make communities safer. We do this by assessing and managing risk and tackling the root causes of offending behaviour and provide a problem-solving approach. We also have a role in prevention and intervening as early as possible to prevent people continuing in the cycle of offending behaviour. We support and hold people to account to help them change their lives and become rehabilitated and reintegrated into local communities. There are several touch points where probation works alongside partners to deliver services.

- We provide pre-sentence reports to assist the Judiciary to make decisions.
- We supervise sentences imposed by the Judiciary that must be served in the community, and we supervise licences imposed when someone leaves prison.
- We work in prisons, preparing prisoners for release subject to licences.
- We work with victims of crime through the Victim Information Scheme.

In Northern Ireland Probation Officers are social workers who are qualified and trained in risk assessment and management. PBNI also have staff who are psychologists, community service officers, probation service officers, and administrative staff in operational teams.

1. General Support for the Bill

PBNI recognises the importance of additional robust statutory frameworks to safeguard adults at risk of harm. We support the central aims of the Bill, which are to protect vulnerable adults, enhance partnership working, and ensure that those at risk receive timely and appropriate interventions. PBNI commends the intent of the Bill for its commitment to promoting the dignity, welfare and safety of adults who may be unable to protect themselves. That said, with new powers must come new protections not just for service users but for staff. Social work is a highly pressurised profession, and PBNI would advocate that social workers (and other staff) will be supported, resourced and protected as they take on the new, additional duties under the legislation.

During the course of their duties, PBNI staff will come into contact with service users who pose a risk to adults at risk of harm and also service users who are themselves, adults at risk of harm. Adult safeguarding concerns may relate to a PBNI service user as a perpetrator or as a victim.

2. Roles and Responsibilities under the Bill

PBNI notes our named inclusion in Section 4 of the Bill, which outlines the duty to report and cooperate in inquiries concerning adults at risk. We fully acknowledge our responsibility to:

- Report cases where there is reasonable cause to suspect that a person is an adult at risk and action may be required to protect them from harm;
- Cooperate, as far as is consistent with the proper exercise of our functions, with Health and Social Care Trusts making inquiries under the Bill;
- Ensure that collaboration and information sharing with partner agencies is undertaken in line with the requirements of the legislation and data protection principles
- Hold ourselves and others to account in the duty to report and cooperate under the Bill.

3. Expanding the List of Relevant Organisations

While PBNi recognises the range of organisations named in Section 4, we suggest that consideration be given to the inclusion of other key public sector bodies. For example, the Northern Ireland Prison Service, the Youth Justice Agency, Jobs and Benefits offices, and other organisations/services regularly interacting with vulnerable adults could play a vital role in identifying and reporting those at risk.

On balance, given this issue, the Bill would benefit from more generic and inclusive wording—encompassing all public sector organisations or public services that may become aware of adults at risk of harm in the course of their functions. This broader approach would help ensure that no vulnerable individual falls through the gaps due to the omission of a particular agency from the statutory list.

4. Safeguarding Principles

PBNi supports the safeguarding principles set out in the Bill, particularly the emphasis on:

- Intervention only when it is in the best interests of the adult and is the least restrictive option;
- Respect for the wishes and feelings (past and present) of the adult;
- The importance of dignity, safety, and participation in decision-making;
- Accountability and transparency in performing safeguarding functions.

We believe these principles will serve as a strong foundation for effective adult protection. We would advocate also for support for a Trauma Informed Approach – a culture of compassion, psychological safety, and just and balanced accountability in performing safeguarding functions.

5. Multi-Agency Working and Information Sharing

PBNi acknowledges the importance of multi-agency working, as highlighted in the Bill. Effective protection of adults at risk depends on the collective efforts of criminal justice, health, social care, and other relevant bodies. We are committed to:

- Developing clear protocols for information sharing and joint working.
- Participating actively in inquiries and investigations where PBNi's involvement may assist in protecting adults at risk; and
- Contributing to the strategic direction and operational practices for adult protection as required by the Adult Protection Board for Northern Ireland.

6. Concerns Regarding Criminal Liability

While PBNi is fully committed to the safeguarding of adults at risk, we would like more detail on concerns some have raised regarding the criminal liability of organisations and staff. The introduction of potential applicability of body-corporate or individual prosecution provisions, raises significant implications for both the PBNi as a corporate entity and individual staff members. We are mindful that, under the Bill, both organisations and their representatives could face prosecution should there be a gross breach of duty or failure in safeguarding responsibilities.

PBNi would like to emphasise the importance of clear guidance and robust support mechanisms for staff, to ensure that they are able to carry out their roles confidently and in accordance with the law, while understanding the boundaries of their responsibilities and the protections available to them. Moreover, absolute clarity is required in defining terms such as 'wilful neglect' and 'care' under the legislation. Additionally, we ask that the Assembly consider the potential impact of criminal proceeding on staff morale, service delivery, and organisational culture. It is essential that any

enforcement action is proportionate and accompanied by clear procedures for investigation, defence, and support.

There are other issues we feel could potentially come in under the Bill that relate to the work of PBNI, and that interface with issues of vulnerable adults. One example of this is in relation to PBNI approving service users residence at homes in which there may be vulnerable adults in need of protection. This requires careful consideration and risk assessment and may involve issues of coercive control/domestic abuse, with attendant limitations of consent from the vulnerable adult.

7. Training and Capacity Building

PBNI welcomes provisions for the development of practices, procedures, and training to support the protection of adults at risk. We would recommend that training be delivered to all relevant staff on a regional basis, and that this be regardless of employing body. We would support a multi-agency approach which would require centralised delivery to maximise universal understanding across all agencies involved. We will work closely with the Adult Protection Board and other agencies to ensure our staff are equipped with the knowledge and skills necessary for effective safeguarding, and to minimise the risk of unintentional breaches that could result in harm being caused or not prevented.

PBNI would be concerned about the impact on the organisation or the individual staff member if a referral is missed, or a staff member has not completed the required training.

In reference to capacity building this would need to be implemented at an individual and agency-wide level. The level of staffing and the designated roles that will be required to comprehensively enact Adult Protection measures effectively is not to be underestimated. There are financial implications for PBNI in terms of training and resources.

There is also potential impact on contracts with Community and Voluntary sector partners for work delegated to them to deliver on behalf of PBNI and attendant process for PBNI assurance.

8. Legal and Regulatory Compliance

PBNI will comply fully with all legal and regulatory requirements set out in the Bill, including those relating to reporting, cooperation, and the supply of information relevant to inquiries and reviews. We ask that the Department work with stakeholders to ensure all organisations and staff are well-informed about new criminal liabilities and how to mitigate associated risks.

9. Conclusion

PBNI reiterates its commitment to the protection of adults at risk of harm. We look forward to working in partnership with the proposed Adult Protection Board, and other agencies to safeguard vulnerable adults across Northern Ireland.

Substantial additional resources will be required to implement the Bill and there will be an increased workload for Probation and indeed, all agencies involved, as well as financial costs. PBNI believes the financial investment required to implement the Adult Protection Bill will be considerable.

Should further clarification or engagement be required, PBNI remains available to contribute its expertise and experience in support of this important legislation.