

## Neglect, Maltreatment and Abuse of Elderly-Review Article

DR. Karthikeyan\*, DR.Siva Nambi\*\*

*\*Junior resident, \*\*Professor & HOD,*

*Department of Psychiatry, Sree Balaji Medical College & Hospital, Chennai -44, Tamilnadu, India*

*\*Corresponding author: DR. Karthikeyan*

**ABSTRACT:** Elderly mistreatment and neglect is often a hidden problem in society. Elderly abuse is becoming a growing concern in India, where by at home or in old age home. The longevity of life, rapid urbanization, unemployment, poverty all adds to the risk of neglect. There are laws in India to prevent elderly abuse, which people are unaware of. This review article explores the prevalence of elder abuse in India, the rights of the elderly in India and the laws abiding it.

**KEYWORDS:** Elder abuse, Neglect, Caregivers, Indian laws, Dementia, Types of abuse.

### I. INTRODUCTION

Elder abuse is defined as violence, neglect or emotional abuse of elderly relatives often the surviving, widowed, elderly mother. Because of the rapid industrialization, modernization, and growth in technology, there is an increasing awareness of such abuse and there may be a rear increase in prevalence related to the growing number of the elderly and changing patterns of social care<sup>1</sup>.

Elder abuse is also defined as a repeated act against or failure to act for an elderly person causing distress or damage and so prevents the living of a full life (FISK 1997).

The U.S. National Academy of Sciences defines elder abuse in the following ways.

Def I: International actions that cause harm or create a serious risk of harm (whether or not harm is intended) to a vulnerable elder by a caregiver or other person who stands in a trusted relationship to the elder.

Def 2: Failure by a caregiver to satisfy the elders basic needs or protect the elder from harm.

Even in India, where the elders are reported to have respect and regards from their family members, the old are not wanted in many houses, they are even resented because of their failing capacities. Most of the elderly are cheated out of their property rights even pensions by their children, relatives and others.

Elder abuse is much more common in India than we think. It becomes increasingly recognised by both medical persons and social agencies<sup>4</sup>.

Elder abuse is recognised internationally as a growing problem. In 1997, the International network for the prevention of elder abuse was established due to increasing concern regarding the mistreatment of older people.

Elder abuse is thought to be between 2 and 10%.

### II. TYPES OF ELDER ABUSE<sup>2</sup>:

1. Physical abuse – acts done to cause physical pain/injury.
2. Psychological abuse – acts done to cause emotional pain or injury.
3. Financial abuse – misappropriation of money/possession.
4. Sexual abuse
5. Neglect – failure to meet the needs of a dependent person
6. Abandonment –

Neglect is by far the most commonly identified condition

Abuse occurs in a multiple settings from the persons own home to hospitals and care-homes shared living is a risk factor. Higher rates of financial abuse occur among those living alone. Higher rates of physical abuse are described with people with dementia. Caregivers could also be victims to assault by a confused elderly person and this may lead to stress, distress, and retaliation<sup>3</sup>. Elderly caregivers can also be the victims of abuse by relatives with dementia. Social isolation is a risk factor for stress and elder abuse. A history of mental illness in the perpetrators is associated with elder abuse. Depression is a common characteristic of elder abusers. This has been verified by a number of studies. Perpetuators of elder abuse are more likely to abuse alcohol. Children are at least as affected as partners, daughters, and wives more often than sons and husbands. Poor relationship usually gets worse and the ill-health of the caregivers or poor home add to the difficulties.

Many caregivers of people with moderate or severe dementia only find relief when their relatives go into a home/hospital or die. Counseling may help caregivers to reduce their burden. One must recognize that dementia remains for most caregivers a very personal tragedy.

### **III. INDIAN LAW FOR ELDER ABUSE**

Sec.125: CrPc 1973 requires every person having sufficient means to maintain his/her parents who are unable to maintain themselves/

- The Hindu Adoption and Maintenance Act 1956- It is the obligation of the person to maintain aged or infirm parents.
- Article 41 of the Indian Constitution –A directive principle of State policy, public assistance to the aged to the extent resources permit.
- Boothalingam committee reports on wages, income and prices – stresses the need for providing social security for the destitute aged.
- The Landmark Act in India to protect the elderly is the maintenance and welfare of parents and Senior Citizens Act 2007. There is an act to provide for more effective provisions for the maintenance and welfare of parents and senior citizens guaranteed and recognized under the constitution and for matters connected there with and/or incidental thereto.

### **DECLARATION OF HONGKONG ON THE ABUSE OF THE ELDERLY ADOPTED BY WMA (1989)**

1. The elderly have the same right to care, welfare and respect as other human beings.
2. It is the physician's responsibility to help prevent the physical and psychological abuse of the elderly.
3. Physicians will see that the elderly patients receive the best possible care.
4. If physicians suspect ill treatment or unnatural death they will report to the relevant authorities.
5. The elderly should have their free choice of treatment and the doctor.

### **IV. CONCLUSION**

Interventions for abused older adults need to be tailored to the symptoms and situations if the perpetrator or caregiver is suffering from any mental illness that should be taken care of. Medication to reduce agitation in an older person with dementia may help to control, triggers for abuse by a care-giver.

### **ELDER ABUSE IN INDIA – HELP AGE INDIA REPORT 2012<sup>5</sup>**

#### **Main Findings:**

- 31% of older persons reported facing abuse.
- More than half of those abused were facing it for more than four years and all these were facing multiple forms of abuse.
- 24% older people faced abuse almost daily.
- 75% of those who faced lived with family and 69% were owners of the house in which they were living.
- The primary abuser was the son in 56% cases, followed by the daughter-in-law with 23% cases.
- More than 50% of those abused had faced this situation for more than five years, 33% faced it for up to 3 years and less than 1 % faced it for more than 6 years.
- 55% of those abused, did not report it to anyone. More than 80% of these did not report the matter to uphold family honor.
- 62% older persons suggested the most effective mechanisms to tackle Elder Abuse was sensitization of children and strengthening of intergenerational bonding and 38% stated it to be economic independence.
- 18% older persons did not know about any of the currently available redress mechanisms. 38% stated it to be economic independence.
- 18% older persons did not know about any of the currently available redress mechanisms. 36% knew about one and 46% knew two or three of the options.
- The older persons considered disrespect, neglect and verbal abuse as elder abuse.
- Disrespect, followed by neglect and verbal abuse, were thought to be the form in which Elder Abuse was most prevalent in our society.
- 6% older persons did not know what constitutes Elder Abuse.
- 81% older persons thought that Elder Abuse was prevalent in our society.
- Only 22% older persons considered the prevalence rate of Elder Abuse in society to be high; an equal proportion considered it to be low and 56% said it was moderate.
- Most of the abused older persons experienced disrespect, neglect and verbal abuse.
- Little less than 50% of the older persons had seen cases of Elder Abuse in their surroundings.
- Out of those who reported abuse, 49% elders chose a family member for reporting/confiding about it.

- Police Helplines and services were known to majority of the respondents but were never used, probably due to lack of trust or to maintain family honor.
- Delhi NCR witnessed a rise in abuse from last year, with 29.82% elderly stating they faced abuse, as against 12% the year before. Mumbai (Maharashtra) followed a close second to Delhi NCR with 29.46%
- Bhopal (MP) ranked the highest in Elder Abuse with 77.12% elders stating they faced abuse, followed closely by Guwahati, (Assam) with 60.55% and Lucknow (UP) with 52%.
- Other than Bhubaneswar (Odisha) with 23.31%, Eastern India on an overall basis had high percentage of Elder Abuse with Guwahati (Assam)-60.55% and Kolkata (WB)-40.93%.
- Jaipur (Rajasthan) reported a miniscule 1.67% case of Elder Abuse.
- 11% of older women and 6% older men did not have any knowledge about the currently available reporting and redress mechanisms. None of the respondents knew about all the available mechanisms.
- 19% older women knew about one mechanism as compared to 17% men, and 21% women knew 2 or 3 mechanisms as compared to 25% older men.

#### **HELP AGE RECOMMENDATIONS BASED ON VIEWS OF THE OLDER PERSONS:**

There should be nationwide programmes in schools for sensitizing the children towards ageing and aged.

A robust social security system that is needed not only ensures income security for the elderly, but also gives them opportunities for income generation. There should be involvement of society at large in prevention of elder abuse.

As per this Act a senior citizen who is unable to maintain himself/herself from his own earning or out of the property owned by him shall be entitled to make an application to the tribunal and that tribunal should order the caregivers to regularly pay for the senior citizen and maintain them, otherwise they are punishable.

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**\*Corresponding author: DR. Karthikeyan**

*\*Junior resident, Department of Psychiatry, Sree Balaji Medical College & Hospital,  
Chennai -44, Tamilnadu, India*