

Some spotlights on developments related to elder abuse in Germany

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10th World Conference on Elder Abuse and WEAAD 2015 Lead-up:
Advances in elder abuse research, practice & legislation
Dublin, 22 April 2015

- Changes in legal provisions referring to eldercare
- Constitutional complaint on violation of fundamental rights in LTC
- Research related to elder abuse / elder victimization issues

- Long-term care insurance introduced in 1995
- Funded by income-based insurance contributions
- Provides benefits for home care (in cash or in kind) and for institutional care (in kind)
- > 2.5 million beneficiaries (about 70% in home care)
- About 12.000 nursing homes (including daycare etc.) and about 12.000 home-care services providing care in Germany

- *First Act to Strengthen Long-term Care* enters into force on Jan 1, 2015; among the changes are the following:
 - Long-term care insurance benefits raised by 4%
 - Expansion of short-time care and respite care benefits
 - Expansion of “low-threshold support offers in non-residential care” (e.g. for housekeeping, voluntary helpers)
 - Benefits for relatives “for a ten-day absence from work to organise a suitable care setting “
 - Dementia patients with significantly impaired functional abilities but not assigned to care levels 1 to 3 get better access to in-home care-related benefits

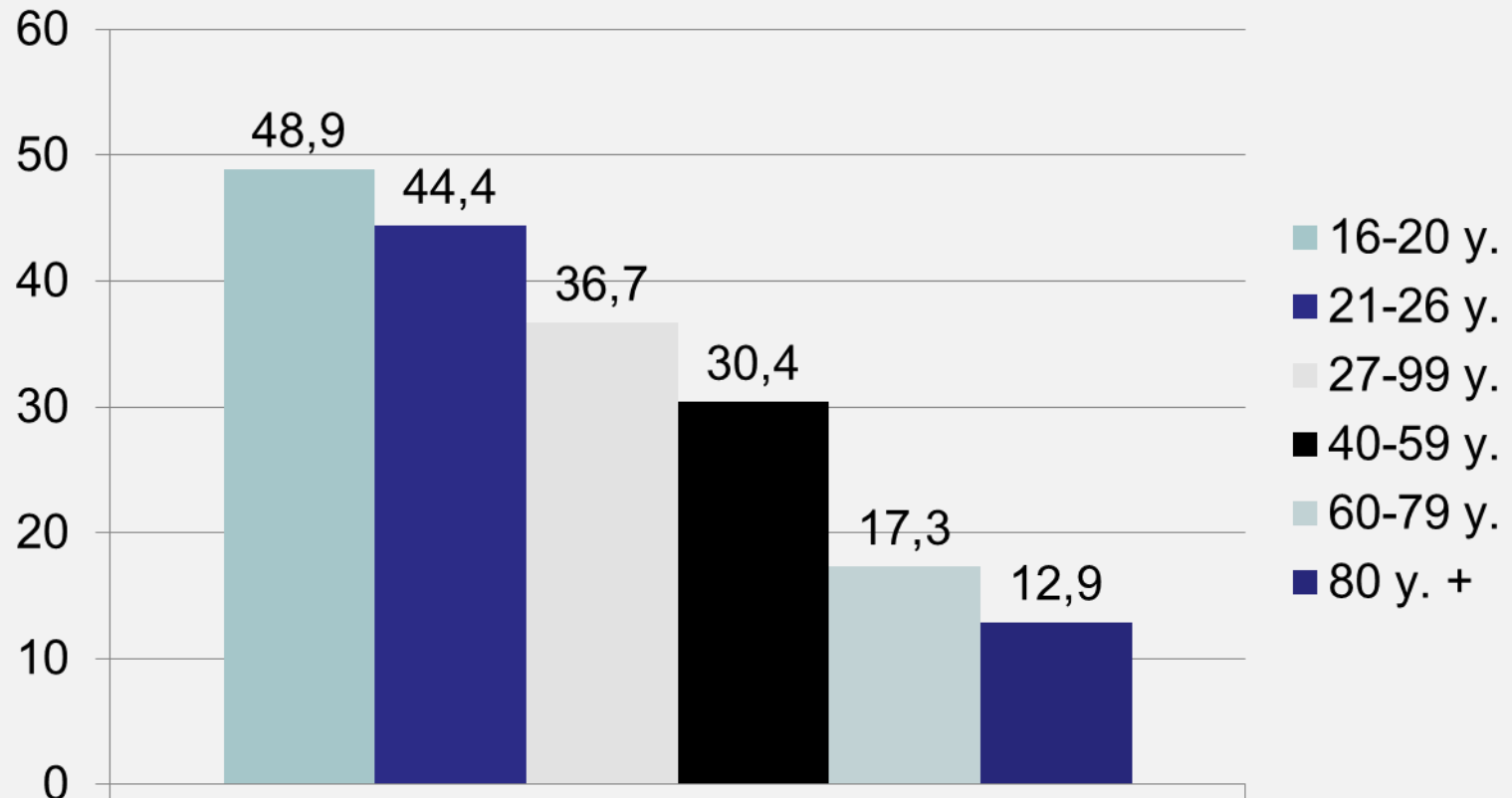
- *Second Act to Strengthen Long-term Care* expected to enter into force in 2017
 - New definition of need for long-term care
 - New procedure for assessment of LTC needs; will consider, support needs that are due to cognitive and psychological impairments

- November 2014: „Constitutional Complaint“ filed by 7 individuals (aged 35 to 89); now under scrutiny by the Federal Constitutional Court
 - CC = remedy for protection of constitutional rights against violation by acts of German public authorities
- Claiming systematic violation of fundamental rights / human rights in institutional long-term care in Germany
- Pointing at widespread neglect, use of mechanical and chemical restraints
- Claiming government's responsibility to create conditions under which dignity and human rights can be protected in LTC
- If successful, parliament would have to reconsider legislation related to care dependency / caregiving

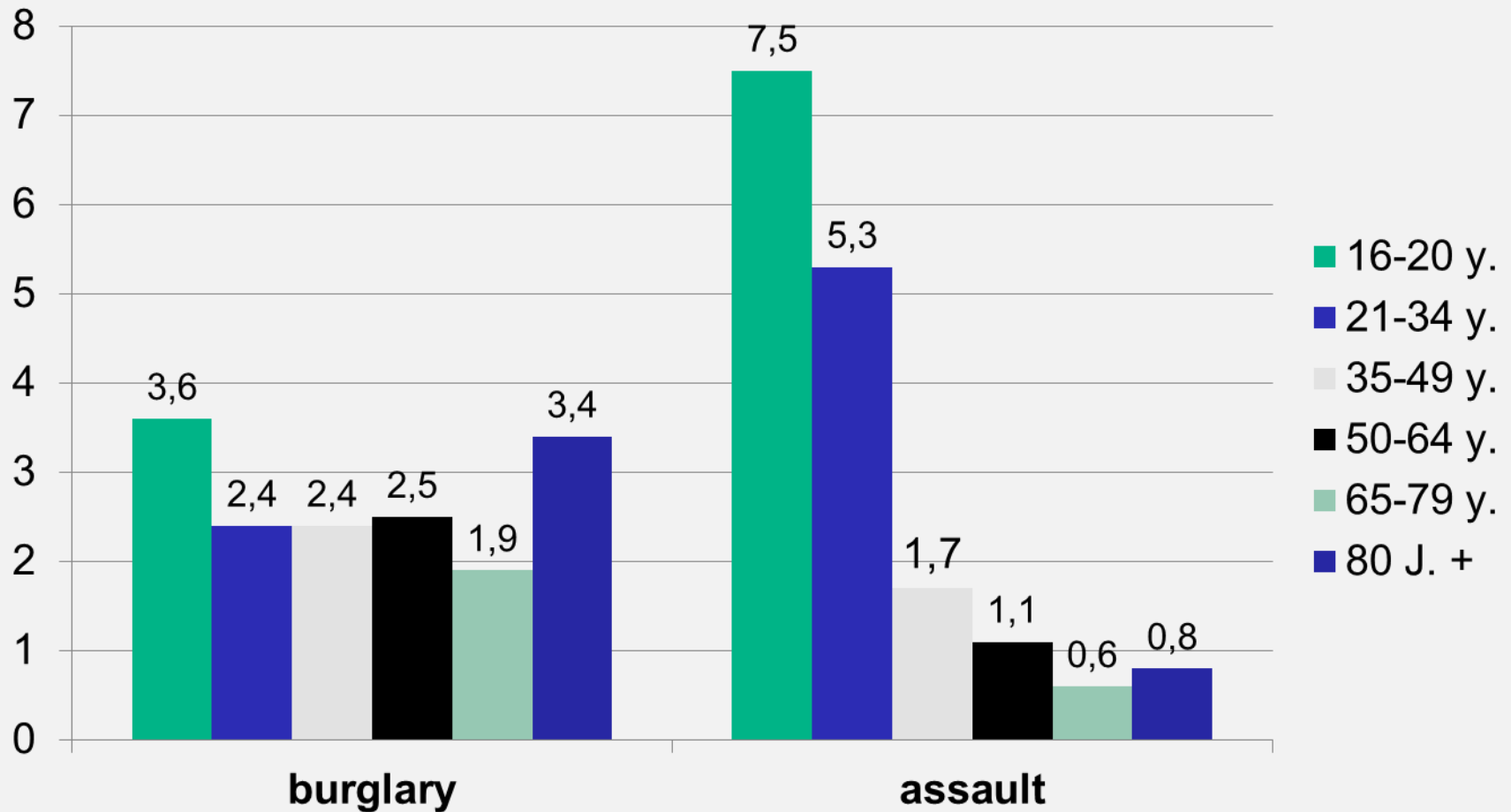
- Up to now, no tradition of repeated victimization surveys in Germany (unlike Crime Survey for England and Wales [formerly BCS], or [US-] National Crime Victimization Survey)
- In recent years, some police forces have initiated victimization surveys at a federal level and at the level of different “Laender” (German states like Lower Saxony, Mecklenburg-Western Pomerania, or Schleswig-Holstein)
 - new data on age-related victimization risks

- Mail survey
- 18.940 participants (age 16+)
- Theft, robbery, fraud, cybercrime, sexual offences, assault, threat/intimidation, damage to property

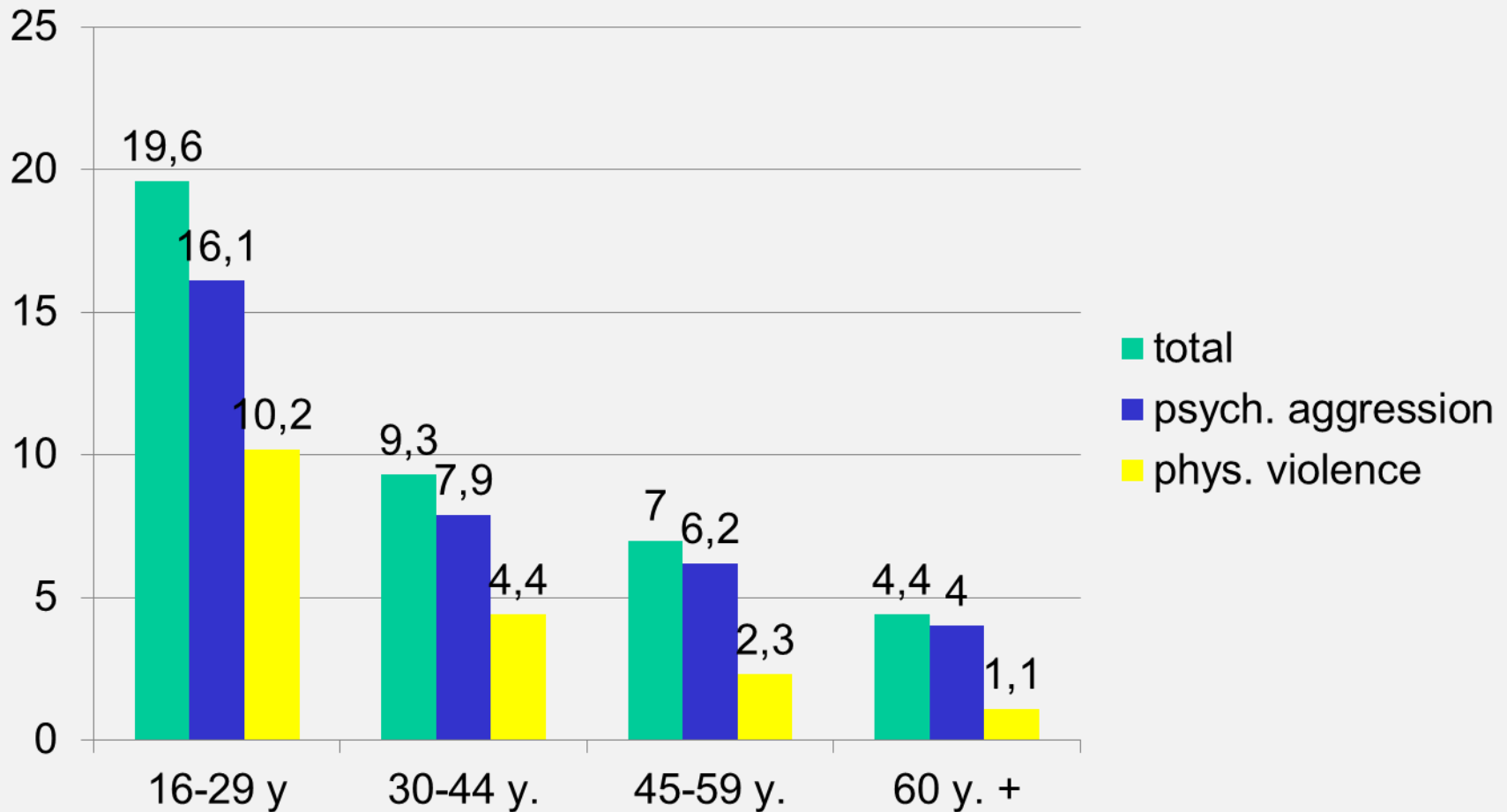
**Overall
victimization
rates
for a 1-year
period
(in % by age)**



Victimization survey by Lower Saxony Police 2013: 12-months victimization rates of burglary and physical assault by age (in %)



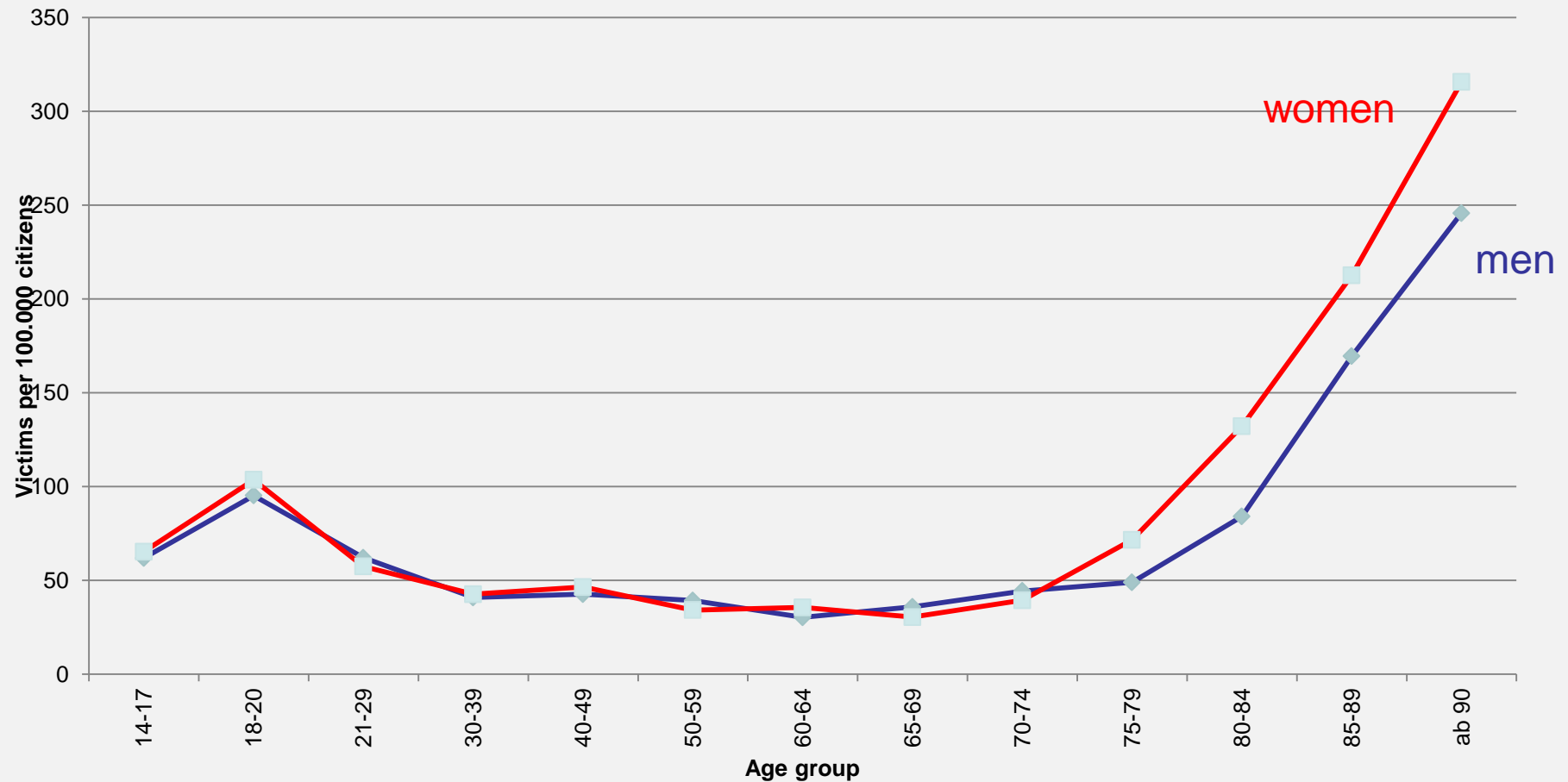
Victimization survey by Lower Saxony Police 2013: 12-months rates of victimization by intimate partner violence by age (in %)



- Project on „Security Potentials in Later Life“ finished in 2014 (funded by Federal Ministry of Family Affairs, Senior Citizens, Women and Youth)
- Focus on two topics:
 - Property offences targeting older adults
 - Everyday security needs and security strategies of community-dwelling older adults

- Organized crime structures in targeting older person's property
- Multitude of criminal opportunities for offenders acting from a position of trust
 - As trusted family member
 - As person with power of attorney for financial matters
 - As legal guardian
- „Twilight zones“
 - Between immoral business procedures and criminal acts
 - Between granting benefits to loved ones and being exploited

Police data: Risk of theft in / from private homes (excl. burglary) by age, Bavaria 2011



Theft without aggravating circumstances in/from private homes
(Police Crime Statistics Bavaria 2011)

- Development of training programme for bank employees on
 - detecting and
 - handling incidents of possible financial exploitation of seniors
- Banks / bank employees as “capable guardians” in some types of offences
- Importance of including the individual level (staff) and the organisational level (bank) in trainings

- Interview study in 4 communities (differentiated by urbanity and wealth)
- Older persons' perceived threats to security partly associated with crime (especially property crime), partly with everyday "incivilities" (youths hanging around in groups in public spaces ...)
- Training programme with 4 main topics:
 - Protection against property offences
 - Secure handling of modern technical equipment
 - Self-assertiveness in everyday encounters
 - Dialogue / encounters with local youths

- Legal reforms will expand understanding of need for long-term care (to better adapt it to dementia patients)
- Outcome / "fate" of constitutional complaint regarding institutional care?
- More Laender (German states) jumping on the "victimization survey train" will provide better data on older crime victims
- Emerging research topics:
 - Abuse and guardianship
 - RRA
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Thanks for your attention!

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