Elder Abuse, Social Ageism and Human Rights

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Linking Abuse, Ageism and Rights Discourse

• Help-Age International and Human Rights Watch give Ageism and Abuse as reasons for a Convention

• Jane Barrat CEO of the International Federation of Ageing (2014):
   ‘older people experience abuse, discrimination and violation of their rights at a family, community and institutional level’
What is Elder Abuse?

• “A single or repeated act or lack of appropriate action occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person”
Operational Typologies

Financial abuse

Psychological abuse

Physical abuse

Sexual harassment / abuse

Neglect
Intentional 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 trust relationship to the elder.

Failure by a caregiver to satisfy the elder’s basic needs or to protect the elder from harm.
Prevalence of Mistreatment

- Prevalence figures now perceived to be between 2 and 5%
- UK (2.6-3.8%: 2007), Spain (0.8-4.0%: 2007), Ireland (2.2%: 2011) New York (7.6% 2011)
- New Zealand Estimate (uses UK figure 2.6%)
- Western Australia Estimate (3-6%)

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## Risk factors identified for overall abuse

<table>
<thead>
<tr>
<th>Author, Year &amp; Country</th>
<th>Female</th>
<th>Male</th>
<th>Advanced age</th>
<th>Social support</th>
<th>Marital status</th>
<th>Poor physical health</th>
<th>Dependency for ADLs</th>
<th>Higher education</th>
<th>Lower socio-economic</th>
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</thead>
<tbody>
<tr>
<td>Laumann et al. (2008) US</td>
<td>✓ (verbal)</td>
<td></td>
<td></td>
<td></td>
<td>✓ (alone financial)</td>
<td>✓ (verbal)</td>
<td>✓ (verbal)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marmolejo (2008) Spain</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓ (low)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>O’Keefe et al. (2007) UK</td>
<td>✓ ✓ (financial)</td>
<td>✓</td>
<td>✓</td>
<td>✓ (low)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Lowenstein et al. (2009) Israel</td>
<td>✓ ✓ (financial)</td>
<td>✓</td>
<td>✓</td>
<td>✓ (low)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Podnieks (1992a) Canada</td>
<td>✓ ✓ (low)</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Pillemer and Finkelhor (1988) US</td>
<td>✓ ✓ (low)</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Chokkanathan and Lee (2006) India</td>
<td>✓ ✓ (living with family)</td>
<td></td>
<td>✓</td>
<td>✓ (widowed/single)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Oh et al. (2006) Korea</td>
<td>✓ ✓ ✓ (living with family)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dong et al. (2007) China</td>
<td>✓</td>
<td>Protective</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓ (lower)</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
Overall Prevalence of mistreatment: **2.2%** (95% CI 1.41, 2.94)

- Financial, 1.3%
- Psychological, 1.2%
- Physical, 0.5%
- Neglect, 0.3%
- Sexual, 0.05%

**Clustering of abuse:** 25% (psychological abuse)
Scientific agreement much closer on what it is, but not necessarily on what it means...
Public perception and reporting
BBC study (Hussein et al, 2007)

- 55% ‘a great deal’ of mistreatment
- respondents estimated that 11.4% older adults suffered from physical abuse, 4.9% from stealing (financial), 0.8% from sexual abuse and 20.7% from humiliation (psychological).
Eurobarometer 2008

• 47% of European Citizens: ‘believe that poor treatment neglect and even abuse of dependent older people is widespread’
• Varies from 86% in Romania, to 17% in Cyprus
• Sexual Assault 31%, Physical 52%, Psychological 64%, Property 67% as the:
  ‘Level of risk you think dependent older people are exposed to’
<table>
<thead>
<tr>
<th>Country</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Romania</td>
<td>86%</td>
</tr>
<tr>
<td>Greece</td>
<td>64%</td>
</tr>
<tr>
<td>Italy</td>
<td>63%</td>
</tr>
<tr>
<td>Lithuania</td>
<td>58%</td>
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<tr>
<td>Bulgaria</td>
<td>53%</td>
</tr>
<tr>
<td>Hungary</td>
<td>51%</td>
</tr>
<tr>
<td>Latvia</td>
<td>50%</td>
</tr>
<tr>
<td>Poland</td>
<td>48%</td>
</tr>
<tr>
<td>European Union</td>
<td>47%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>47%</td>
</tr>
<tr>
<td>France</td>
<td>43%</td>
</tr>
<tr>
<td>Portugal</td>
<td>43%</td>
</tr>
<tr>
<td>Germany</td>
<td>42%</td>
</tr>
<tr>
<td>Spain</td>
<td>39%</td>
</tr>
<tr>
<td>Estonia</td>
<td>39%</td>
</tr>
<tr>
<td>Belgium</td>
<td>36%</td>
</tr>
<tr>
<td>Slovenia</td>
<td>35%</td>
</tr>
<tr>
<td>The Netherlands</td>
<td>34%</td>
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<tr>
<td>Austria</td>
<td>34%</td>
</tr>
<tr>
<td>Malta</td>
<td>34%</td>
</tr>
<tr>
<td>Finland</td>
<td>33%</td>
</tr>
<tr>
<td>Ireland</td>
<td>32%</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>27%</td>
</tr>
<tr>
<td>Denmark</td>
<td>23%</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>22%</td>
</tr>
<tr>
<td>Slovakia</td>
<td>20%</td>
</tr>
<tr>
<td>Sweden</td>
<td>19%</td>
</tr>
<tr>
<td>Cyprus</td>
<td>17%</td>
</tr>
</tbody>
</table>

**Question:** QA30. Could you please tell me whether, in your opinion, poor treatment, neglect and even abuse of dependent elderly people is very widespread, fairly widespread, fairly rare or very rare in (OUR COUNTRY)?

**Answers:** Widespread

**Map Legend**
- 70% - 100%
- 60% - 69%
- 55% - 59%
- 45% - 59%
- 30% - 44%
- 0% - 29%

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Public Perceptions of Elder Abuse

‘Elder abuse is complex, multidimensional, frequently culturally determined and can be perceived differently by members of the public’

Lafferty 2009
Under Reporting

• USA: National Elder Abuse Incidence Study 75% of cases go unreported (NEAIS 1998)
• Agency estimated: Under reporting 33%, Over reporting 52%, Don’t Knows 15% (Hawes in NRC 2003)
• Rates of abuse recorded using objective measures 5% vs those reported to adult protective services 1–2% (Cooper et al, 2008).
• UK: Prevalence Figures, compared to APS caseloads- appx 3% being picked up. (O’Keefe et al, 2007)
• New York: incidence 24 times greater than pick up by services (Lachs & Berman, 2011)
Social Ageism
Ageism as a Civil Rights Issue

“Ageism can be seen as a process of systematic stereotyping of and discrimination against people because they are old, just as racism and sexism accomplish this for skin colour and gender ...

Ageism allows the younger generations to see older people as different from themselves, thus they subtly cease to identify with their elders as human beings”

(Butler 1975)
Ageism as ‘Othering’

Every individual has the potential to experience discrimination or prejudice based on their age if they live long enough. It produces an ‘othering’ effect that lumps all those considered old into a category defined, first, as different and, second as inferior.

(Phillips et al., 2010: 21)
Ageism as Dominance

“The colonisation of the goals, aims, priorities and agendas of one age-group by another”

“This may be consciously done for reasons of political and economic expediency, or unknowingly as if these priorities are simply commonsense”.

Biggs, 2004
A Human Rights Issue?
Article One of The Universal Declaration of Human Rights

‘All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of Brotherhood’
The Promise for A Long Life

Will move age on from: ‘a problem requiring functional solutions’... to... ‘an issue of justice and dignity’

‘It is not old age that renders certain rights hard to enjoy, but a particular conception of old age that would deny the full enjoyment of their rights to the ageing’

(Megret, 2011: 63).

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4 follow-throughs

• A framework for practical action
• Establishing a clear legal duty upon states to ensure their enjoyment equally and without discrimination
• Providing an analytical tool to examine the different levels of obligations for states
• Providing political impetus and add legitimacy

(Sepulveda & Nyst. 2012: 18)
IFA 2013: United Nations convention on the rights of older persons

Provide a definitive, universal position that age discrimination and ageism are morally and legally unacceptable

Clarify governments' human rights obligations towards older people,

Create an enforceable monitoring mechanism to hold those in authority to account for their actions towards older people

Encourage a shift in attitude from older people being considered recipients of welfare to rights holders with responsibilities.

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Milestones

UN Open Ended Working Group on Ageing (2009, 5\textsuperscript{th} meeting July 2014)
First expert group on Violence Against older Women at UN (2013)
‘best practices in the implementation of existing law and gaps in implementation’
So are Rights the right way forward?

• Good on the formal mechanisms

• Is there something lacking...

• Where is the Socio/emotional dimension?

• Abuse as an extreme behaviour, a failure to encounter the humanity of the other
Three different narratives

• Elder Abuse is generally conceived as located within interpersonal relationships (Bonnie and Wallace, 2003)

• Ageism as a Social/Contextual phenomenon

• Human Rights are most commonly thought of as a relationship between the state and the individual (Sepulveda and Nyst, 2012).
Approaching Interconnection

Ambiguity, Empathy and Permessors
Working across boundaries

• Violence against support workers (Banerjee et al 2008)
• Resident to resident abuse (Pillemer et al, 2013)
• Family communication (Lin & Giles, 2013)
• Elders’ Awareness and experience (Naughton et al 2013)
• Multicultural perception (Enguidangos et al 2014)
• Dynamics of longstanding abuse (Band-Winterstein & Eisikovits 2014)
• Abuse, context and dignity (Stevens et al, 2014)
Empathy as Generational Intelligence

‘How far is it possible to put yourself into the shoes of someone of a different (age) group?’

(Biggs & Lowenstein, 2011)
Steps toward Generational Intelligence

• Becoming conscious of self as distinct from others
• Relative ability to put oneself in the position of the age-other
• A positive value stance toward age diversity
• Relative ability to negotiate between generational positions
Abuse vs Empathy

- Not getting beyond one's own priorities or projecting them onto others
- Recognise difference as threatening
- A values system that demeans the other
- Negotiation perceived as unnecessary or as adversarial
Permissors

• Factors that permit certain behaviours to happen
• And create certain contexts or social spaces that make those behaviours more likely
• From avoiding risk to generating positive interaction
Attending to Permessors

- What happens in social space
- The role of regulation
- Both in reducing negative risk AND in permitting positive actions
- Re-focus on Prevention
- Connecting behaviour, attitudes, and the role of the State
Attending to Boundaries

Social Systems and ‘Permissibility’ of action

Permeability of boundaries:
- Perception of distinctiveness
- Willingness to disclose
- Possibility of trust
- Ability to negotiate
- Inspiration of hope
Crossing the boundaries

Abuse occurs in an extreme relational context, permitted by background factors and within which there is a failure to encounter the humanity of the other.
Linking the relationship, the context and the State...
“The right to have rights’, of belonging with dignity to some kind of organised human community”.

Especially with respect to Age
Australia

No Primary Prevalence estimate
Australian Human Rights Commission (Respect & Choice 2012)
Family Violence
Helplines, monitoring and prevention plans at State Level
Community Awareness Campaigns

In Victoria State
• Victorian Govt Health Information webpage
• Elder Abuse prevention and response guidelines (2012-14)
• Senior’s Rights Victoria NGO (helpline, advocacy, legal services, community education)
• Elder Rights Advocacy NGO (aged care advocacy)
• Working toward multi-agency coordination
Where to from here?

• Linking the legal, the social and the relational
• Shaping attitudes and behaviours toward old age
• Identifying the permessors and inhibitors of abuse
• Creating the political and societal will
Living with Complexity

- Clarity of the containing boundary
- Permeability of contained boundaries
- Attention to the gatekeepers
## Prevalence surveys of elder abuse (West)

<table>
<thead>
<tr>
<th>Author Year</th>
<th>Target population</th>
<th>Prevalence period</th>
<th>Overall prevalence of abuse</th>
<th>Neglect</th>
<th>Financial</th>
<th>Psychological/verbal abuse</th>
<th>Physical</th>
<th>Sexual</th>
</tr>
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<tbody>
<tr>
<td>O’Keefe et al. (2007) UK</td>
<td>National random sample ≥ 66 years</td>
<td>Preceding 12 months &amp; since 65 years</td>
<td>2.6% (12 months) 3.4% (65 yrs)</td>
<td>1.1% *</td>
<td>0.7% (12 months)</td>
<td>0.4%</td>
<td>0.4% (12 months)</td>
<td>0.2% (12 months)</td>
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<tr>
<td>Laumann et al. (2008) US</td>
<td>National random sample 57-85 years</td>
<td>Preceding 12 months</td>
<td>-</td>
<td>-</td>
<td>3.5%</td>
<td>9%</td>
<td>0.2%</td>
<td>-</td>
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<tr>
<td>Marmolejo (2008) Spain</td>
<td>National random sample ≥ 65 years</td>
<td>Since 65 years</td>
<td>0.8%</td>
<td>0.3%</td>
<td>0.2%</td>
<td>0.3%</td>
<td>0.2%</td>
<td>0.1%</td>
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<tr>
<td>Lowenstein et al. (2009) Israel</td>
<td>National random stratified sample (urban dwelling only) ≥ 65 years</td>
<td>Preceding 12 months</td>
<td>18.4% (excluding neglect) 35% (including neglect)</td>
<td>18%</td>
<td>6.4%</td>
<td>14.2%</td>
<td>2.7% 4% (freedom limitation)</td>
<td>-</td>
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<tr>
<td>ABUEL (2010) Spain, Portugal, Italy, Germany Greece, Lithuania and Sweden</td>
<td>Register based sampling (Germany, Spain, Italy, Lithuania, Sweden) Random sample and cluster (Greece &amp; Portugal)</td>
<td>Preceding 12 months</td>
<td>22.6%</td>
<td>-</td>
<td>3.9%</td>
<td>19.8%</td>
<td>3.3%</td>
<td>0.8%</td>
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<tr>
<td>Acierno et al. (2010) US</td>
<td>National random sample ≥ 60 years</td>
<td>Preceding 12 months &amp; since 60 years</td>
<td>11.4% (12 months) 5.1% (12 months)</td>
<td>5.2% (12 months)</td>
<td>4.6% (12 months)</td>
<td>1.6% (12 months)</td>
<td>0.6% (12 months)</td>
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<tr>
<td>Weill Cornell Medical Centre of Cornell University &amp; New York City Department for the Aging (2011) New York</td>
<td>Self-Reported Prevalence Study - Random Statewide sample ≥ 60 years Documented Case Study</td>
<td>Since 60 years Previous Year</td>
<td>-</td>
<td>18.3 per 1000</td>
<td>42.1 per 1000</td>
<td>16.4 per 1000 (emotional)</td>
<td>22.4 per 1000 (physical &amp; sexual)</td>
<td>-</td>
</tr>
</tbody>
</table>

- Not reported or not measured
≥ 10 incidents in one year

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## Community based prevalence surveys of elder abuse in Asia

<table>
<thead>
<tr>
<th>Author &amp; Year</th>
<th>Country</th>
<th>Target population</th>
<th>Prevalence period</th>
<th>Overall prevalence of abuse</th>
<th>Neglect</th>
<th>Financial</th>
<th>Psychological/verbal abuse</th>
<th>Physical</th>
<th>Sexual</th>
<th>Violation of personal rights</th>
<th>Multiple</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chokkanathan and Lee (2006)</td>
<td>India</td>
<td>Urban (single district residential district Chennai) Random sample ≥ 65 years Cognitively normal (formal test)</td>
<td>Since 65 years</td>
<td>14%</td>
<td>4%</td>
<td>5%</td>
<td>11%</td>
<td>4%</td>
<td>-</td>
<td>-</td>
<td>7%</td>
</tr>
<tr>
<td>Oh et al. (2006)</td>
<td>Korea</td>
<td>Urban (single residential district Seoul) Sampling method not identified ≥ 65 years</td>
<td>Month prior to the interview</td>
<td>6.3%</td>
<td>2.4%</td>
<td>4.1%</td>
<td>4.2%</td>
<td>1.9%</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Yan and Tang (2001)</td>
<td>Hong Kong</td>
<td>Urban community centres Hong Kong Convenience sample ≥ 60 years</td>
<td>12 months</td>
<td>21.1%</td>
<td>-</td>
<td>-</td>
<td>20.8%</td>
<td>2.0%</td>
<td>-</td>
<td>3.9%</td>
<td>-</td>
</tr>
<tr>
<td>Yan and Tang (2004)</td>
<td>Hong Kong</td>
<td>Urban community centres Hong Kong Convenience sample ≥ 60 years</td>
<td>12 months</td>
<td>27.5%</td>
<td>-</td>
<td>-</td>
<td>26.8%</td>
<td>2.5%</td>
<td>-</td>
<td>5.1%</td>
<td>-</td>
</tr>
<tr>
<td>Dong et al. (2007)</td>
<td>China</td>
<td>Urban medical clinic Convenience sample ≥ 60 years</td>
<td>Not specified</td>
<td>35%</td>
<td>16.9% (abandonment 0.7%)</td>
<td>13.6%</td>
<td>11.4%</td>
<td>5.8%</td>
<td>1.2%</td>
<td>-</td>
<td>36%</td>
</tr>
</tbody>
</table>

- Not reported or not measured
≥ 10 incidents in one year
Measures and Implications

• Different ages of target populations
• Different data collection periods
• Different definitions of ‘position of trust’
• Different data sources

• Variations in typologies

• UK, Ireland. Canada and Czech Republic (in progress) attempting to standardise measures.
Cooper et al 2008
INDIVIDUAL FACTORS
- Temperament
- Learned behavior
- Attitudes
- Knowledge

FAMILY FACTORS
- Patterns of relating (husband-wife, parent-child, brother-sister)
- Attitudes and values re: rights of child, parent, spouse
- Ability to cope with stress
- Available resources
- Living conditions

COMMUNITY FACTORS
- Level and kind of support available
- Learning opportunities available
- Attitudes about family roles, responsibilities

CULTURE/SOCIETY:
- Attitudes about family roles, rights, responsibilities
- Attitudes about the use of force to solve problems
- Amount and kind of violence allowed
MACROSYSTEM
EXOSYSTEM
MESOSYSTEM
MICROSYSTEM

Adult Child-Abuser
Substance abuse
Mental/emotional illness
Social isolation
Lack of caregiving
Randomness/Rehalten
Sleep and balance
Personality traits
Lack of social support

Aging Parent-Victim
Gender
Marital status
Chronological age
Health and/or dementia
Provocative behavior
Substance abuse
Psychological factors
Social isolation

Interaction: Aging Parent - Adult Child
Dependencies
Living arrangement
History of abuse
Intergenerational transmission of violence
Multigenerational demands

Adult Child – Mesosystem/
Aging Parent – Exosystem
Employment status
Financial resources
Social isolation
Lack of formal support

Aging Parent – Mesosystem/
Adult Child – Exosystem
Social isolation
Lack of formal support (adult child case)

Macrosystem
Cultural norms:
Aggression
Ascend
Attitudes towards violence
Attitudes towards disabilities

CHRONOSYSTEM – TIME
Temporality of change–synchronization of multiple time clocks

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Figure Two – Integrative model for Interactions in elder mistreatment

The Venn diagram presented here is intended to outline a generic model that could be applied to understand the combination of influences at different levels of analysis. Individual Venn diagrams can be applied to each type of mistreatment so that diagrams can be produced to show the dynamics of financial, physical, psychological/emotional, physical and sexual abuse and various forms of neglect. In principle, the same diagram could be used to chart forms of dignity, as outlined by the Ethical and Moral University.
Rigidity at the Boundary

Insider  Outsider
Active  Passive
Perpetrator  Victim
Powerful  Weak
Bad  Good

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Communication and Power

• Collusive Alliances
Sources of ambiguity in situations of abuse

• An Adult-Adult Affair
• Self, Other or Service Neglect
• Multiple forms of Abuse
• The Capacity Continuum
• Multi-Professionality
• Theoretical and Procedural Imports
From Ambivalence to Interconnection

- The right to express capabilities ‘what people are actually able to do and to be’ (Nussbaum, 2003)
- The right holder has the choice to demand or waive their rights in certain circumstances... such that others accept the claim or duty’ (Ivison, 2010)
From Risks to Permessors

Risks
• Reside in individual attributes
• Sometimes in contexts
• Discrete characteristics
• Simplified and measurable
• Reduces uncertainty
• Rational

Permessors
• Reside across boundaries
• And take moral or professional frameworks into account
• Interconnection and agency
• Tolerates uncertainty
• Socio/emotional/political

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Ambivalence

• Structural: ‘simultaneously held opposing emotions that are due to countervailing structural expectations’

&

• Emotional: ‘simultaneous existence of positive and negative sentiments in the older parent-adult child relationship’