

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

US National Research Council 2003

- 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

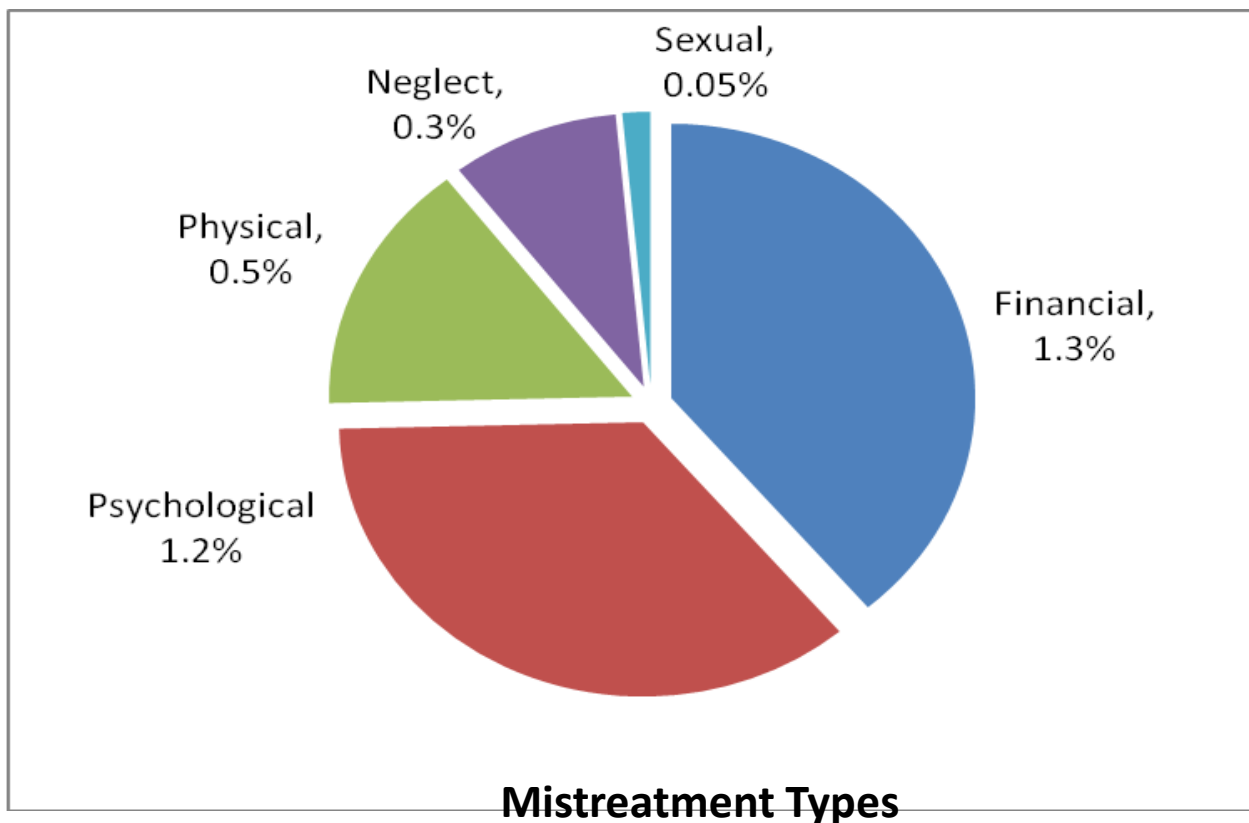
- Prevalence figures now perceived to be between 2 and 5%
- UK (2.6-3.8 %: 2007), Spain (0.8- 4.0%: 2007), Ireland (2.2%: 2011) New York (7.6% 2011)
- New Zealand Estimate (uses UK figure 2.6%)
- Western Australia Estimate (3-6 %)

Risk factors identified for overall abuse

Author, Year & Country	Female	Male	Advanced age	Social support	Marital status	Poor physical health	Dependency for ADLs	Higher education	Lower socio-economic
Laumann et al. (2008) US	✓ (verbal)		Protective for financial & verbal		✓ (alone financial)		✓ (verbal)	✓ (verbal)	
Marmolejo (2008) Spain	✓		✓	✓ (low)		✓	✓		
O'Keefe et al. (2007) UK	✓	✓ (financial)	✓	✓ (low)	✓	✓			✓
Lowenstein et al. (2009) Israel	✓	✓ (financial)		✓ (low)		✓			
Podnieks (1992a) Canada				✓ (low)	✓			✓	✓
Pillemer and Finkelhor (1988) US		✓		✓ (low)	✓	✓			
Chokkanathan and Lee (2006) India	✓			✓ (living with family)	✓ (widowed/single)	✓		✓	✓
Oh et al. (2006) Korea		✓	✓	✓ (living with family)		✓	✓		
Yan and Tang (2001, 2004) Hong Kong			✓			✓	✓		
Dong et al. (2007) China	✓		Protective			✓	✓	✓ (lower)	✓

Irish Prevalence Figures 2010

- Overall Prevalence of mistreatment : **2.2 %** (95% CI 1.41, 2.94)



- 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

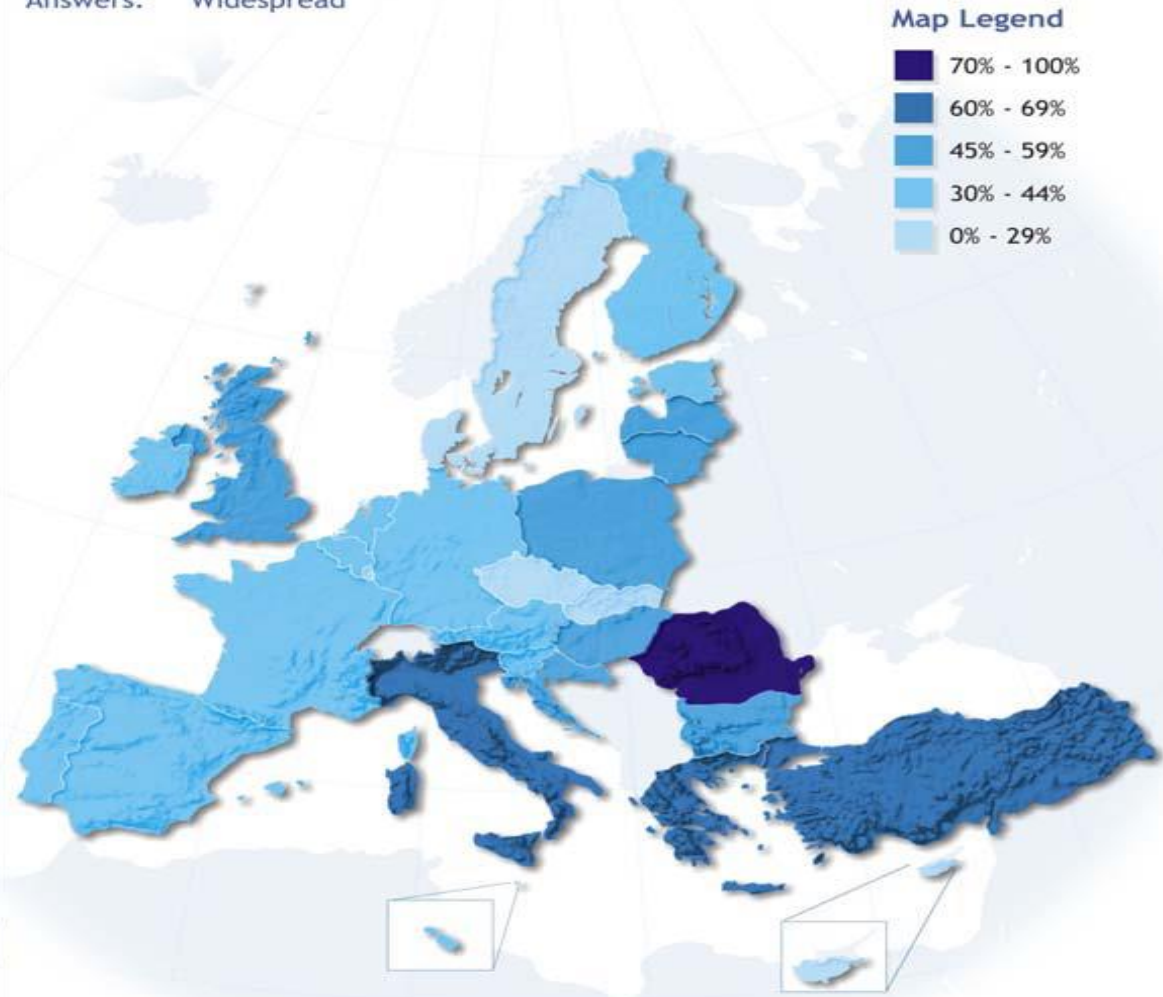
- 47% of European Citizens: 'believe that poor treatment neglect and even abuse of dependent older people is widespread'
- Varies from 86% in Romania, to 17% in Cyprus
- Sexual Assault 31%, Physical 52%, Psychological 64%, Property 67% as the:
'Level of risk you think dependent older people are exposed to'

Country Results		
 Romania	86%	
 Greece	64%	
 Italy	63%	
 Lithuania	58%	
 Bulgaria	53%	
 Hungary	51%	
 Latvia	50%	
 Poland	48%	
 European Union (27)	47%	
 United Kingdom	47%	
 France	43%	
 Portugal	43%	
 Germany	42%	
 Spain	39%	
 Estonia	39%	
 Belgium	36%	
 Slovenia	35%	
 The Netherlands	34%	
 Austria	34%	
 Malta	34%	
 Finland	33%	
 Ireland	32%	
 Czech Republic	27%	
 Denmark	23%	
 Luxembourg	22%	
 Slovakia	20%	
 Sweden	19%	
 Cyprus	17%	

Other Countries		
 Turkey	66%	
 Croatia	47%	

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



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).

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.

Milestones

INPEA (1997) & WEAAD (2006)

UN Open Ended Working Group on Ageing (2009,
5th meeting July 2014)

First expert group on Violence Against older
Women at UN (2013)

UN Human Rights Council appointed Rosa Kornfeld-
Matte as Independent Expert (2014)

‘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 ones 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

Permessors

- 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...

Hannah Arendt

“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 permissors 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)

Author Year Country	Target population	Prevalence period	Overall prevalence of abuse	Neglect	Financial	Psychological/verbal abuse	Physical	Sexual
O'Keefe et al. (2007) UK	National random sample ≥ 66 years	Preceding 12 months & since 65 years	2.6% (12 months) 3.4% (65 yrs)	1.1% *	0.7% (12 months) 1.2% (65 yrs)	0.4%	0.4% (12 months) 0.8% (65 yrs)	0.2% (12 months) 0.3% (65 yrs)
Laumann et al. (2008) US	National random sample 57-85 years	Preceding 12 months	-	-	3.5%	9%	0.2%	-
Marmolejo (2008) Spain	National random sample ≥ 65 years	Since 65 years	0.8%	0.3%	0.2%	0.3%	0.2%	0.1%
Lowenstein et al. (2009) Israel	National random stratified sample (urban dwelling only) ≥ 65 years	Preceding 12 months	18.4% (excluding neglect) 35% (including neglect)	18%	6.4%	14.2%	2.7% 4% (freedom limitation)	-
ABUEL (2010) Spain, Portugal, Italy, Germany Greece, Lithuania and Sweden	Register based sampling (Germany, Spain, Italy, Lithuania, Sweden) Random sample and cluster (Greece & Portugal)	Preceding 12 months	22.6%	-	3.9%	19.8%	3.3%	0.8%
Acierno et al. (2010) US	National random sample ≥ 60 years	Preceding 12 months & since 60 years	11.4% (12 months)	5.1% (12 months)	5.2% (12 months)	4.6% (12 months) 13.5% (60 yrs)	1.6% (12 months) 1.8% (60 yrs)	0.6% (12 months) 0.3% (60 yrs)
Weill Cornell Medical Centre of Cornell University & New York City Department for the Aging (2011) New York	Self-Reported Prevalence Study - Random Statewide sample ≥ 60 years Documented Case Study	Since 60 years Previous Year	- -	18.3 per 1000 10.9	42.1 per 1000 32.7	16.4 per 1000 (emotional) 47 (emotional)	22.4 per 1000 (physical & sexual) 38.6	 0.99

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

Community based prevalence surveys of elder abuse in Asia

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

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

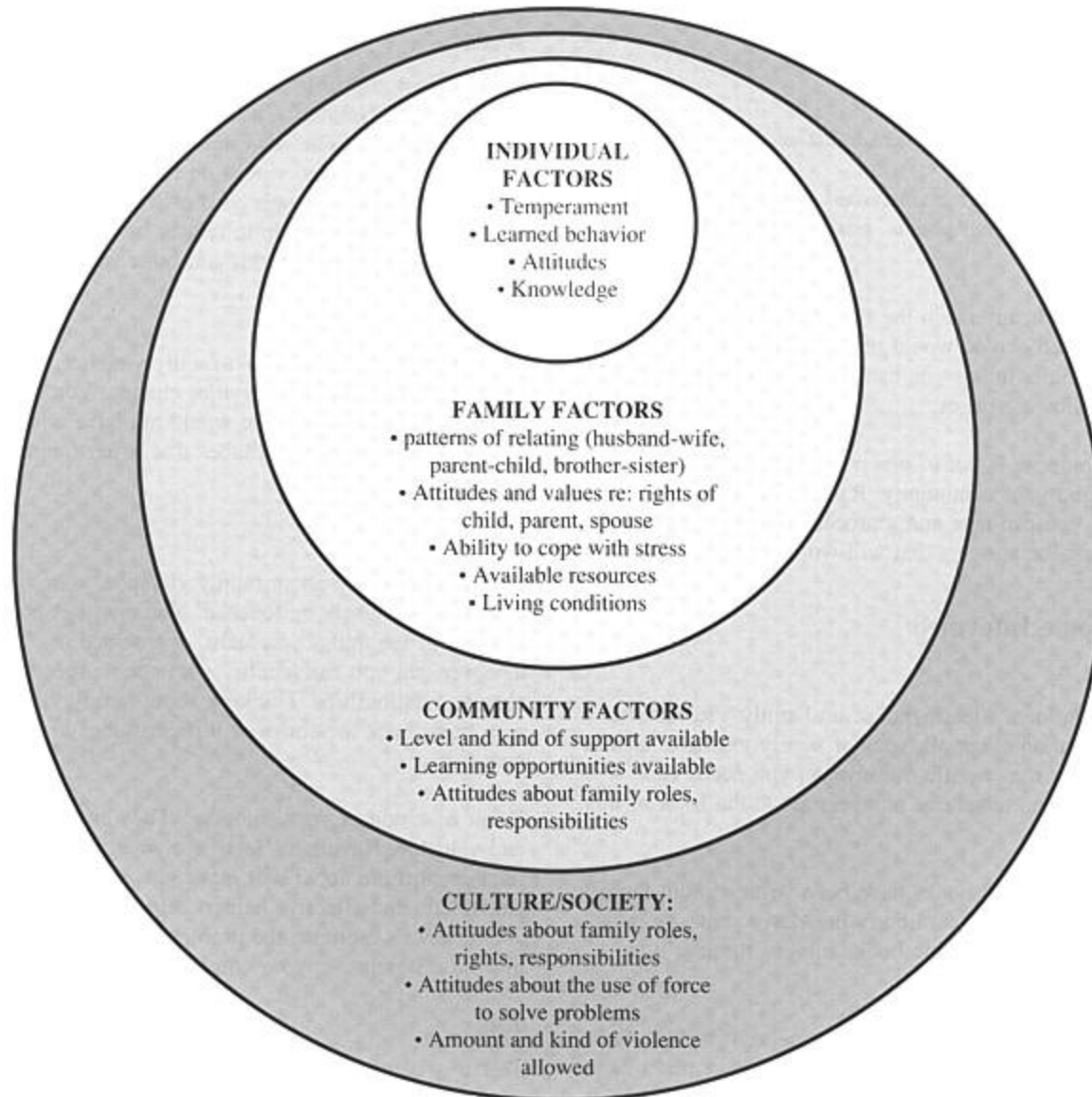
Measures and Implications

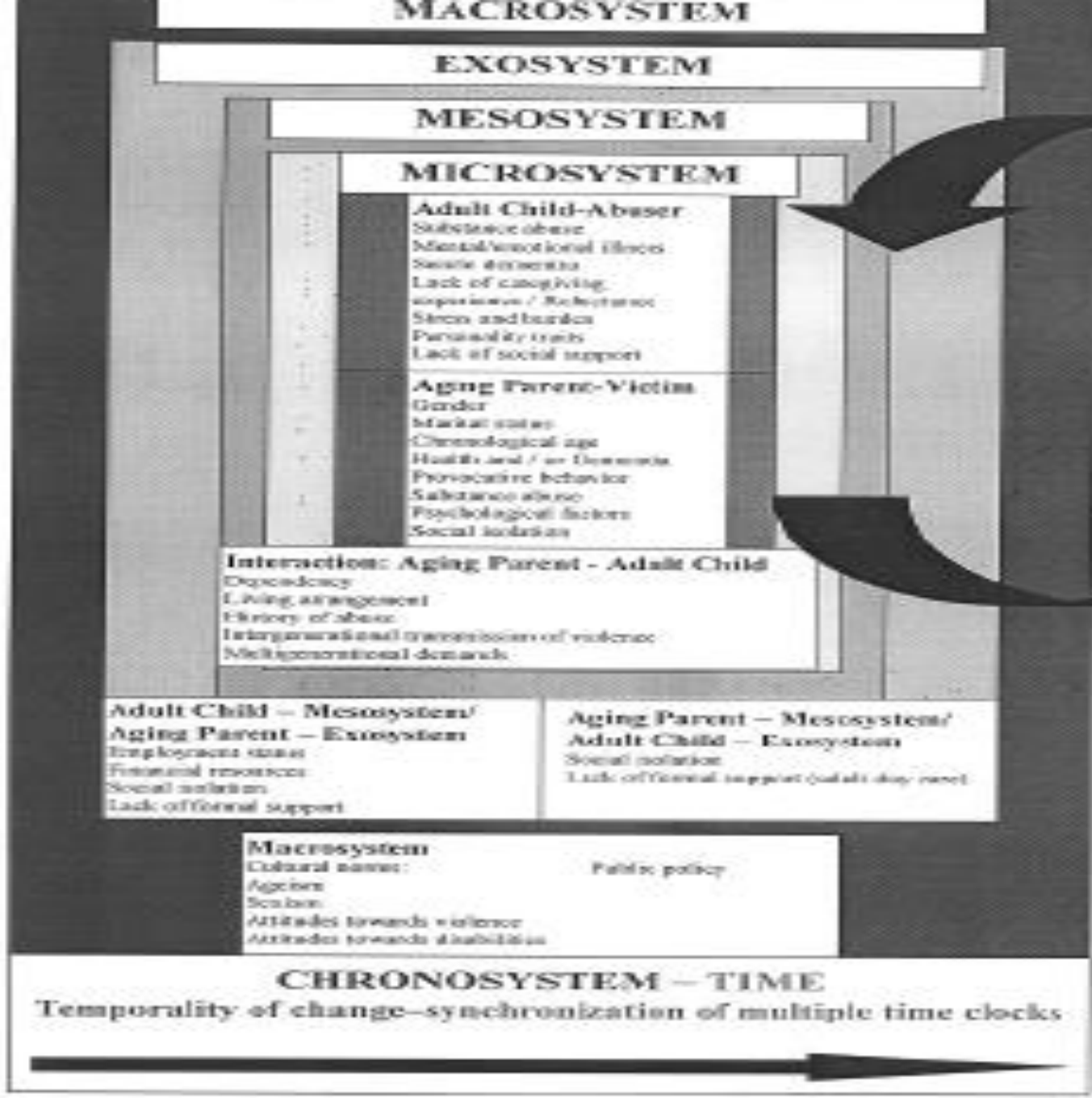
- Different ages of target populations
- Different data collection periods
- Different definitions of 'position of trust'
- Different data sources

- Variations in typologies

- UK, Ireland. Canada and Czech Republic (in progress) attempting to standardise measures.

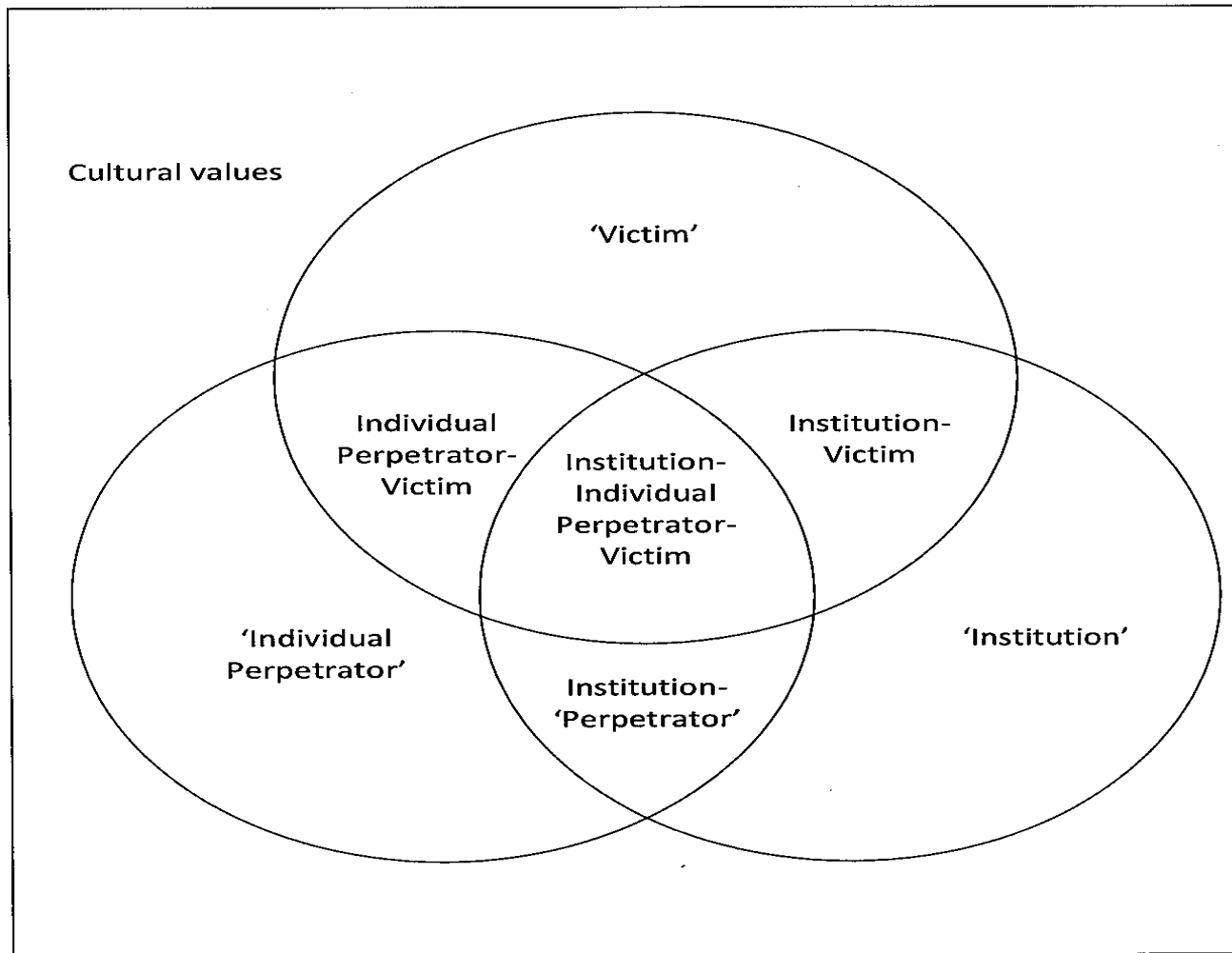
Cooper et al 2008





**ACTION
 RESEARCH**

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 Simer Biggs Melhoy (2011) at the University

Rigidity at the Boundary

Insider

Active

Perpetrator

Powerful

Bad

Outsider

Passive

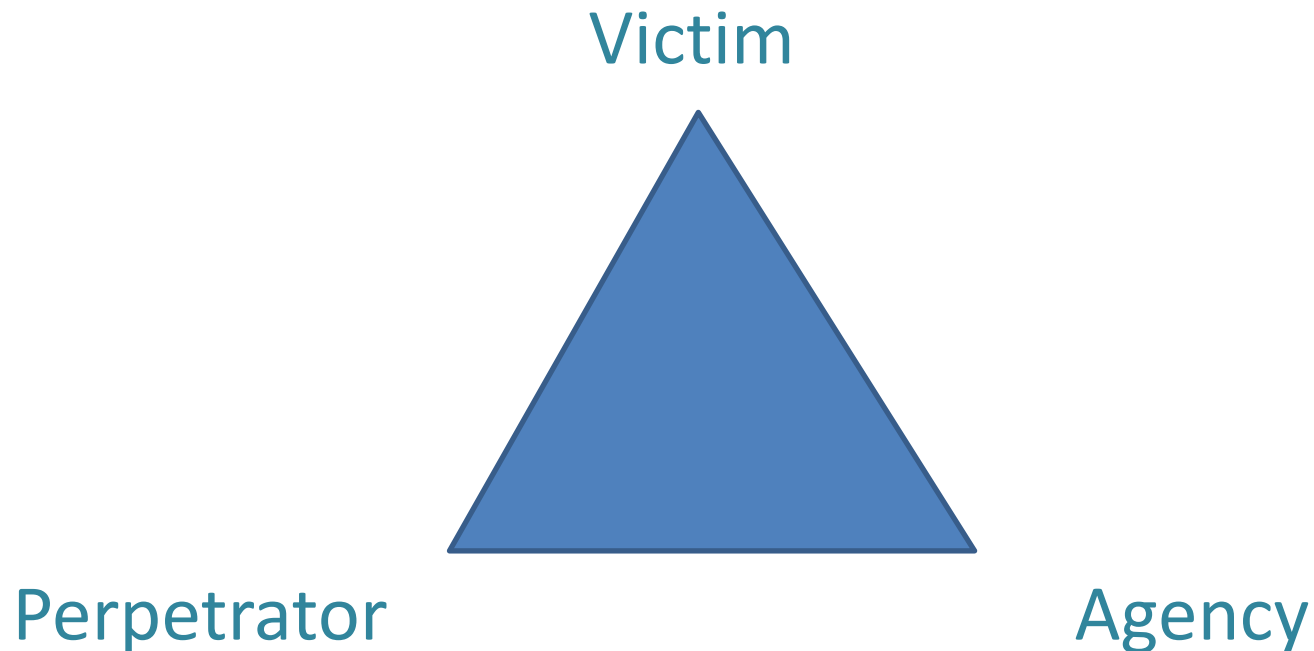
Victim

Weak

Good

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’ (Iverson, 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

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’