



ELDER ABUSE AND NEGLECT

Social Science

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ABSTRACT

India is culturally richest country in the world. It is the country which lived on the basis of Vedas and epics, where elders were given the place of god. There were days when there was lot of respect given to the words like **Mathru Devo Bhava** (Mother is God) **Pithru Devo Bhava** (Father is God). As the time have the ability to bring change in the society so as in present scenario the same time has been changing moral values in people, changing societal value resulting in erupting stress and frustration in people. Moreover Globalisation, Privatisation, and Urbanisation have been impacted on the social norms and have been caused social disorganisation. People are turning into Workaholics, and they cannot dedicate their time for elders and as the views and attitude and thinking changes from generations to generations, wave length of thinking also varies a lot. In the computer era where people think money is most important than family, individuals ignoring own Parents, in search of money and social status people are lacking in human bond and humanity. As the nuclear families are increasing in the society, most of the times values and views are not matched between the family members and elders. These factors are leading towards elder abuse and neglect. This paper is concerned about causes for such difference in society and suggestions for prevention of elderly abuse.

KEYWORDS

Citizen, Family, Globalisation, Urbanisation, Privatisation, Neglect, Greed, Old age. Law

INTRODUCTION

Back in days where elders were the head of the joint family and used to take care of all the major decisions in the family, and everyone in the family used to agree with the decisions which they used to make, and the family members used to respect the elders in the family. And everyone in the joint family lived happily and now as the impact of globalisation, urbanisation and privatisation has hit the society and its people, people are moving from villages to cities and metro politeness in search of jobs and a good life, because of this people are settling into nuclear families because they need their own privacy, and sometimes elderly cannot cope up with these kind of changes and they feel uneasy coping with the life in fast lane because they are usually are not used to these kind of drastic changes in their lives. Most of the times family members are not able to understand problems faced by the elders because either family members are not able to have proper conversation with elders or else elders feel uneasy discussing their problems with their children, and in some cases elders might be abused by their daughter in-law or son in-law because either in-laws won't be able to cope up with elders or the elders won't be able to cope up with them. And the sons or daughters will be so busy in earning the money that they are not even able to look after their own elders and meet their needs and necessity's or try to understand their feelings.

For the reasons like this a large number of elderly people are living alone for plenty of reasons, and their numbers are increasing gradually, and they are living alone for plenty of reasons like, lack of support from their offspring's that is more than thirty three percent and children living in far away cities that is twenty percent.

In a survey it showed that about fifty one percent elderly people did not like to live along with their children. Likely most of them liked to reside near to their children. According to Help Age India it recently revealed that almost fifty two percent of elder citizens in Delhi face harassment over property issues, and these kind of Harassment cases are on a rise in the cities like Mumbai and Bangalore as well as in other cities as well. and a recent study done by an NGO showed that the cases of crime against the elderly citizens in Delhi in 2010, the most common cases were physical harm that is forty three percent followed by robbery and murder cases which was almost fourteen percent and thirty six percent

Psychological abuse is on rise on elderly citizens these days and it is done by denying them food and medications to the elders, and stopping to talk with them and ignoring their needs in this scenario most common is the verbal abuse and locking them up at home and making them to do certain things which they are not capable of doing physically. In most of the cases elders of the family are ill-treated by

their own flesh and blood, and some of them are ill-treated by the spouses and abused and neglected as well.

According to a spokesperson of the social counselling cell of Mumbai Police told us that more than 1,200 of domestic disputes received, in them more than 40 percent of cases involved the elderly abuse in the hands of their own flesh and blood.

Characteristics of Elderly Population

Senescence, sickness, functional disabilities, financially insecure characterise population of elderly citizens. These specific characteristics make old people highly prone crime and elderly abuse and make their life miserable. Out of all the elderly citizens more than 65 percent of elderly people suffer from more than diseases. More than eighty-seven percent of the elderly people do not have health insurance. Elderly often spend more on medicine and food. Fear of crime often haunts elderly people who are rich. The most common fear of elderly people is the health problems followed by the shortage of money. Elderly citizens are a highly diverse in group. They reside interspersed. These are the factors make service delivery including provision of security to them a challenge.

About Elderly Citizen Organisations

Elderly citizen's organisations are emerging particularly in the areas like suburbs as well as in urban areas. These organisations are a very good platform for the self support of elderly citizens, these organisations are creating a healthy atmosphere for them. And they have many recreational activities for the elderly, and these organisations are slowly emerging strong.

Elder Abuse and Neglect a Menace

Elder abuse and neglect like maltreatment and mistreating of aged persons is a social menace in India. Acts of elderly abuse are not crime, though they cause psychological humiliation, harassment and pain to elderly persons, these kinds of acts goes un noticed. Acts like elderly abuse not only take place within homes but also in non family settings as well. People like members of family, formal caregivers and strangers commit it. Elderly people are abused because they are considered as docile in nature and very fragile, they are considered as useless and burden for the family members.

Types of elderly abuse and neglect

- **Physical Abuse**—inflicting physical pain or injury on an elderly person, for e.g. Slapping, bruising, torturing or restraining by physical or any other means.
- **Exploitation**—it constitutes illegal taking, misuse, or concealment of funds, property, or assets of a senior for someone

else's benefit.

- **Psychological Abuse**—inflicting mental pain, anguish, or distress on an elder person through verbal or nonverbal acts, e.g. humiliating, intimidating, or threatening.
- **Self-neglect**—it is characterized as the failure of a person to perform essential, self-care tasks and that such failure threatens his/her own health or safety.
- **Sexual Abuse**—it is a non-consensual sexual contact of any kind.
- **Abandonment**—desertion of a vulnerable elder by anyone who has assumed the responsibility for care or custody of the elderly person.
- **Neglect**—it is the failure by those responsible to provide food, shelter, health care, or protection for a vulnerable elder.

Some Safe guards for the Elderly

- Elderly Parents cannot be evicted from a house without the due process of the law
- According to Section 125 of the Criminal Procedure Code, a person not having sufficient means can claim maintenance from his/her children.
- The Hindu Adoptions and Maintenance Act provide that an aged parent can demand Maintenance from their children.
- If children or relatives neglect or refuse to maintain an elderly citizen who is unable to maintain himself / herself, they can be ordered to pay a monthly allowance to such elderly citizen under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
- The Domestic Violence Act also provides parents and senior citizens with the right to seek relief from any kind of abuse.
- Based on provisions of Article 41 of the Constitution of India and obligations under the Various UN backed international agreements and the National Policy on Older Persons (NPOP) was announced in January 1999. It recognizes the number of areas of Intervention financial, health care, nutrition, shelter, education, welfare and Protection of life & property -- for the well being of elderly persons. National Council for Older Persons (NCOP) has been constituted to make NPOP functional.

CONCLUSION

According to Article 41 of the Indian Constitution states that, "The state shall, within the limits of its economic capacity and development, must make effective arrangements for securing the rights to work, right to education and public assistance in cases of unemployment, in old age, sickness and physical or mental disablement, and in other cases of un-deserved want". So the government keeping in view the Article 41, should implement certain policies for the elderly citizens in India like the National policy on Older Persons, 1999, The Maintenance and welfare of Parents and Senior Citizens Bill, 2007 which enumerates a number of policies which unfortunately only look good on paper and failing to curb the growing threats and dangers to Elderly Citizens. . Excepting the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (No. 56 of 2007), there is no specific legislation on elder abuse in India. This abuse is often covered under criminal law, or by laws dealing with property rights, civil rights, family violence and mental health. Abandonment of senior citizens by the children has now been made a cognisable offence under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Several instances of abandonment of parents have come to notice in metros. In traditional Indian landscape, elderly simply merged in the growing family, getting due attention and respect. But in the changed social matrix, they are, at best, on the periphery, invariably neglected, often abandoned and in many cases exploited by their own flesh and blood. After a certain age, you lose control over your body. Passing stool, urinating and even not recognising your families owing to Alzheimer's are common in old days. Kids then begin to see their parents as a burden. It is these parents who at times wander out of their homes, or are thrown out,' says Himanshu Dutt, founder of Age Well. Elderly are chary of pressing charges against family members who abuse them. Authorities also avoid intervention to safeguard aged persons against abuse, *inter alia*, for want of appropriate assistance and support services for abused aged persons. Dr. Mala Kapoor, a gerontologist, health sociologist and representative for International Network of Prevention of Elder Abuse reveals, "From physical to emotional abuse by strangers as well as close relations is common, yet it is widely ignored by society as well as the State. While parents are not ready to report it, the police, too, is reluctant to acknowledge it." A comprehensive special law⁵⁴ that deals with issues relating to elderly and provides simple and inexpensive procedure for safe-guarding elderly and enforcing their rights should

prove helpful in creating requisite awareness, increasing comfort level of elderly, curbing crime against them, minimising social evil of elder abuse and facilitating institutional care for the aged.

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