

## Geriatric Abuse – Reason Behind Cruel Act

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### Abstract

Elder abuse is usually by a relative or other caregiver. At greatest risk are the frail and/or isolated. What is the right response depends on the circumstances. But usually they will want to talk to the older person to find out what is going on, if the person would like assistance, and what kind of support or assistance they would like. In some provinces, certain people will have a legal duty to respond to abuse and neglect that occurs in specific circumstances by reporting abuse to a government or other agency. In comparison, in some provinces and territories there is no duty to report abuse and no agency designated to receive reports and respond to abuse. But education about the law, an awareness of ethical considerations, and knowledge of key resources and services can make it easier to decide what to do, to identify who they can seek guidance from in their agency or to whom they should refer an issue, as well as make them feel more confident that they did the best they could under the circumstances.

**Keywords:** Geriatric Abuse, Cruel Act.

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### Introduction

Elder abuse is usually by a relative or other caregiver. At greatest risk are the frail and/or isolated. Elder abuse may include physical violence, threats of assault, verbal abuse, financial exploitation, physical or emotional neglect, or sexual abuse according to WHO elderly abuse is 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. Many people believe that elder abuse happens in nursing homes or skilled nursing facilities. While some abuse does exist in these

facilities, the majority of elder abuse, neglect and exploitation, occurs in the home. Elder abuse comes in all shapes and sizes. Although older adults are mistreated by strangers and con artists, older adults are often abused by people they care about or rely on for assistance, services or companionship.

- Family
- Friend
- Spouse, boyfriend, girlfriend
- Neighbour
- Volunteer caregiver
- Legal guardian

- Care facility staff
- Professionals - doctor, lawyer, nurse

Abuse is on the rise in this society. Nearly 5.3 million intimate partner victimization occur each year among older. Certain symptoms can appear, such as changes in depth perception, confusion over when an event occurred, loss of control over bodily functions, and hearing loss. Although there is no crime called "elder abuse", sometimes acts of elder abuse can be crimes listed in the Criminal Code, which is the federal law that lists most crimes in Canada and applies across the country.

*Some examples:*

- Assault
- Sexual Assault
- Uttering Threats
- Unlawful Confinement
- Theft
- Fraud
- Failing to provide the necessities of life (criminal neglect)
- Theft by a person holding a power of attorney

*Psychological abuse:* Threatening to put an older person in a retirement home or to not let the older person see the grandchildren or other family unless he or she does what they want can be psychological abuse. Some kinds of mistreatment can fall into more than one category: for example, a caregiver who is unnecessarily rough when lifting a patient in and out of bed and belittles the patient by talking down to him like he is a child is being physically and psychologically abusive.

*Financial abuse:* Older adults who are socially isolated and have acquired assets or property through lifelong saving for retirement are often targeted for theft or scams. Abusers also sometimes see older people as easy targets because of a perception that older people are more trusting. An attorney is someone legally appointed (through a document called a power of attorney) to make financial transactions or decisions for another person. But the attorney must still make financial decisions consistent with the older person's wishes. Identity theft is when a crook uses personal or confidential information to access someone else's accounts and credits cards without permission. Another common form of financial abuse is when an older adult opens a joint account with a person they trust on the understanding that this person will only access those funds to help the older

adult pay bills and run errands. Then this trusted person spends some or all of the money on herself. That is financial abuse. Financial abuse is a very complex topic that we can't cover in detail today. Financial abuse is one of the most common forms of mistreatment of older people.

*Chemical abuse* is medication abuse. Too much or not enough medication can cause harm. When medication decisions are motivated by things other than the older person's well being or when medication decisions are made without the agreement of the person who needs the medicine or the legal substitute-decision-maker, that's abuse. Medications abuse is most common when older adults have health problems that make it impossible or difficult for them to take care of themselves, fill prescriptions, or understand medical information. For example, denying their mum expensive medication to save money for their inheritance could be mistreatment. On the flip side, giving their mum a higher dose of her medicine so she is more docile and makes fewer demands on them is also abuse.

*Spiritual abuse* is mentioned in very few laws, but it can go hand-in-hand with psychological abuse, and can have a devastating effect on an older person. Our faith is an important part of who we are as people. Preventing a person from practicing her or his faith or forcing a person to participate in a spiritual ritual or to practice a religion is spiritual abuse. When someone prevents an older person from practicing his or her faith and seeing people in a chosen faith community, this is mistreatment. Consider actions that stop a person from going to church, mosque, or any other place of worship, or from being involved in spiritual or religious practices of choice. Forcing a person to practice a different religion or forcing a non-believer to attend a faith institution can also be abusive. Forcing a person to participate in any religious or spiritual ceremony, event or ritual could be elder abuse. Requiring a person to receive any form of spiritual-based healing would be abuse.

An increase in the incidence of child abuse and related fatalities has also been documented.

### **Predisposing factors:**

#### **A. Biological theories**

##### **1. Neuro-physiological influences**

Various components of the neurological system in both humans and animals have

been implicated in both the facilitation and inhibition of aggressive impulses.

Areas of the brain mainly involved

- Temporal lobe
- Limbic system
- Amygdaloid nucleus

## 2. Biochemical influences

Nor-epinephrine, dopamine and serotonin – may play a role in the facilitation and inhibition of aggressive impulses.

## 3. Genetic influences

Various genetic components related to aggressive behavior have been investigated. Some studies have linked increased aggressiveness with selective inbreeding in mice, suggesting the possibility of a direct genetic link. Another genetic characteristic that was once thought to have some implication for aggressive behavior was the genetic karyotype XYY. The XYY syndrome has been found to contribute to aggressive behavior in a small percentage of cases.

## 4. Disorders of the brain

- (a) Brain tumors (particularly in the area of temporal lobe and limbic system)
- (b) Trauma to the brain (resulting in cerebral changes)
- (c) Diseases (encephalitis)
- (d) Epilepsy (temporal lobe epilepsy)

## 5. Psychological theories

### (a) Psychodynamic theory

The psychodynamic theorist implies that unmet needs for satisfaction and security result in an underdeveloped ego and a weak superego. It is thought that when frustration occurs, aggression and violence supply this individual with a dose of power and prestige that boosts the self image and validates a significance to his or her life that is lacking.

### (b) Learning theory

Children learn to behave by imitating their role models, which are usually their parents. Models are more likely to be imitated when they are perceived as prestigious or influential, or when the behavior is followed by positive reinforcement. Children may have an

idealistic perception of their parents during the very early developmental stages but, as they mature, may begin to imitate the behavior pattern of their teachers, friends, and others.

## 6. Socio-cultural theories

Social scientist believes that aggressive behavior is primarily a product of one's culture and social structure. Studies have shown that poverty and income are powerful predictors of homicide and violent crime.

## Battering

A pattern of coercive control founded on and supported by physical and/or sexual violence or threat of violence of an intimate partner.

### Profile of the victim

- Represent in all age, racial, religious, cultural, educational and socio-economic groups.
- May be married or single, housewives or business executives
- Low self esteem
- Often accepts the blame
- Feelings of guilt, anger, fear and shame

### Profile of the victimizer

- Low self esteem
- Pathologically jealous
- Dual personality (one to partner and one to rest of the world)
- Often under a great deal of stress
- Limited ability to cope with the stress
- Becomes threatened when she shows any sign of independence or attempts to share herself or her time with others
- Always insults and humiliates her
- He demands to know where she is at every moment
- Always challenges her honesty.

## Responding to Abuse

What is the right response depends on the circumstances. But usually they will want to talk

to the older person to find out what is going on, if the person would like assistance, and what kind of support or assistance they would like. In some provinces, certain people will have a legal duty to respond to abuse and neglect that occurs in specific circumstances by reporting abuse to a government or other agency. In comparison, in some provinces and territories there is no duty to report abuse and no agency designated to receive reports and respond to abuse. Reporting abuse and neglect is only one possible way to respond to abuse concerns, and it is often not the most helpful response. However, it is important to be aware of their legal obligations. This section highlights any legal duty to respond to abuse or neglect in their province or territory. In every instance it is ideal to talk to the older person about his or her own experience and then help connect the person with resources and services. The Resources Handout contains a lengthy list of agencies in each province and territory.

It is not always appropriate to call the police, especially if the older person is not able to access other support and assistance. In some instances a report to the police can increase the likelihood of further abuse.

Care of elderly with abuse:

The overarching goal is always to find the right balance between

1. Protection, and
2. Independence.

How can they support an older person to get the support or assistance they need and live free from abuse (protection), while at the same respecting a person's inherent right to freedom, independence, and privacy (independence)?

In other words, how do they assist a vulnerable or mistreated person without undermining their autonomy or increasing their risk of harm?

### **Respect Personal Values**

Respect the personal values, priorities, goals and lifestyle choices of an older adult. Identify support networks and solutions that suit the older adult's individuality

### **Recognize the Right to make Decisions**

Mentally capable older adults have the right to make decisions, including choices others might

consider risky or unwise. Mental capability refers to an adult's ability to make a reasoned decision. In general, a mentally capable adult is able to understand information and appreciate the consequences of a decision. Some adults will be capable of making some decisions and not others. The issue is not whether the decision the adult makes is reasonable to **THEY**, but rather whether the adult went through his or her own reasoning process, weighed the options, and came to his or her own reasoned conclusion. Mental capacity is a legal concept that is generally decision-specific and a different standard or test applies depending on the nature of the decision at issue.

### **Respect Confidentiality and Privacy Rights**

Get consent before sharing another person's private information, including confidential personal or health information. In general it is against the law to disclose a person's personal or health information without first getting consent from the person. Violating privacy rights may also be against their professional code of conduct or their organization's internal policies. Sharing confidential information can also harm an older adult's sense of dignity, stop an older adult from trusting they to help them, and do damage to other efforts to get assistance and support to a person who is vulnerable to abuse and neglect. In some exceptional situations it is legal and appropriate to disclose information without prior consent. Organization's policies may also permit volunteers to share private information in order to consult with staff and supervisors. Some organizations require volunteers and staff to explain confidentiality policies to all clients. Privacy law is complex. If they a volunteer, they should always consult a supervisor before disclosing someone's personal information to an outside agency. Organizations should have policies in place to help staff and volunteers to know when and to whom to disclose personal information without consent.

Even with education and awareness, responding to elder abuse is complex and challenging. But education about the law, an awareness of ethical considerations, and knowledge of key resources and services can make it easier to decide what to do, to identify who they can seek guidance from in their agency or to whom they should refer an issue, as well as make they feel more confident that they did the best they could under the circumstances.

### **Conclusion:**

The care of elderly people has emerged an important issue around the globe. Elder people who experience abuse is subjected to an increased risk of health complications while financial exploitation is by close family members; who are the only care takers. Elders who are helpless may not readily reveal the actual situation. It's important to identify such elders an giving appropriate care is necessary of every health care team members.

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