

ELDERLY ABUSE IN INDIA AND USA: COMPARATIVE STUDY

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Abstract- According to estimates, there are over 5.5 million reports of elder abuse in the United States each year, making it a significant social and public health problem. Due to inconsistent methods and identification guidelines, as well as a lack of public awareness of the issue, it is challenging to identify and treat elders who have been abused. For the assessment and care of elderly people who have been mistreated, an interdisciplinary approach in cooperation with Adult Protective Services investigation is essential. Through social media, local news, and community education, healthcare practitioners, other professionals, and the general public can be more aware of this frequently ignored issue. Generally, persons who have attained the age of 65 or older are considered “elderly.” Aging is influenced by genetics, lifestyle, and overall health, although it differs for each individual. Indian law allows “elderly people” over 60 who cannot take care of themselves to receive social security benefits. In the modern world, it has been observed or reported that many elderly people are mistreated by their family members. This paper will explore the nuances of Elderly abuse in India and the USA.

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1. Introduction

Senior citizens will be recognized and treated with respect and as valuable resource for society.¹One of the alluring aspects of the global demographic shift was the significant rise in the proportion of talented and aged individuals.² The ratio of the elderly has increased due to decreased mortality, which has also improved life expectancy. People who get a pension or have reached their retirement age are typically considered senior citizens. The country’s retirement policy determines the length of retirement at employment. “Senior citizen” is defined as “any person who is an Indian citizen and has reached the age of 60 years or above.”³The term “abuse” encompasses a variety of behaviors, such as neglect, sexual abuse, verbal abuse, physical abuse, psychological abuse, environmental negligence, and rights breaches. Elder abuse has been defined as willful, dangerous, or risky behavior, as well as the caregiver’s failure to provide for the elderly’s basic needs and safety. It includes sexual abuse as well as physical and emotional abuse, neglect, and resource exploitation.⁴

Elder abuse is “a single, or recurring act, or lack of appropriate action, occurring within any relationship, where there is an expectation of trust, which causes injury or distress to an older person,” according to the WHO definition from 2002.⁵Any violent act or withholding life-sustaining care without agreement is considered abuse in older individuals. Abuse can take many forms, including bodily harm, caregiver negligence, mental or emotional harm, abandonment, self-neglect, sexual harm, and economic exploitation. Unfortunately, although a significant social and public health burden, elder abuse is a very under-recognized issue.⁶ Elder abuse is difficult to identify and report due to a lack of defined methods and identification guidelines, which is mostly a direct result of insufficient financing. Based on different definitions of elder abuse and who is legally required to report it, prevalence and

incidence rates vary across the United States (U.S.).⁷APS agencies are present in every 50 states, yet many cases go unrecognized and untreated. The general lack of public awareness exacerbates underreporting.⁸

Elder abuse, according to experts, will surely rise as the number of older adults rises—about 40 million persons 65 and over in the United States in 2010. The fastest-growing demographic in the United States is the same group of elderly people. As the baby boomers age, it is predicted that older adults will make up 20% of the country's population by 2030, increasing from 35 million in 2000 to 72 million.⁹All healthcare professionals, other professionals, and the general public need to become more aware of the signs and symptoms of elder abuse, especially elder self-neglect, which is the most prevalent form, and improve their understanding of the intervention strategies due to the lack of trained geriatric healthcare professionals.

2. The Statistics

2.1 Avoidance Rates

The real number of elderly people who are mistreated is unknown, according to the National Center on Elder Abuse,¹⁰ because no official national statistics are available. However, abuse, neglect, or exploitation affected about 5.5 million persons in America who were 65 years of age or older.¹¹The notion that 4 incidents go unreported for every incident reported to the police is even more concerning.¹² Researchers recently used a computer-assisted telephone interview to estimate prevalence rates of about 11% for all types of elder abuse in a nationally representative sample of individuals 60 and older.¹³According to this study, the lack of uniform reporting mechanisms and thorough data gathering across the United States is to blame for the lack of actual abuse rates.

2.2 Offense Rates

Similar to prevalence numbers, different sources have different incidence rates. For instance, the national incidence rate for elder maltreatment among persons 60 years of age and older in 1996 was almost 450,000, excluding self-neglect. In 17 U.S. states, there were around 190,000 reports of elder abuse in a domestic setting in 1999. About 470,000 incidences of domestic elder abuse were reported in the 50 participating states in a survey conducted in 2000.¹³Except for financial exploitation, a different study indicated that 1 in every 10 older persons had experienced some maltreatment.¹⁴ These statistics don't include elder abuse in long-term care institutions.

2.3 Implications Of Elder Abuse

States spent about 8.5 million dollars on elder abuse victims, a 20% increase from 2000 due to increased reports of mistreatment.¹⁵Sadly, older individuals who experience abuse have a mortality risk of at least 2.5 times higher than adults who have never reported their abuse to APS.¹⁶People who self-neglect are five times more likely to pass away within a year of being reported to APS than people who do not experience abuse, even after accounting for all other types of abuse.¹⁷Furthermore, due to a lack of studies and information accessible to evaluate whether deaths are attributable to elder abuse or are the result of advanced age or sickness, many suspicious deaths related to elder abuse are frequently missed by medical examiners.¹⁸Adults who have been abused physically or psychologically may live in fear before they pass away. These adults may exhibit similar signs of self-neglect, such as numerous untreated medical conditions, an excess of or lack of medications, cognitive impairment, dehydration, malnutrition, and financial exploitation, when they present to medical professionals if they have experienced caregiver neglect.

3. Reviewing the Literature Already Available

The author¹⁹ begins by addressing the problem of underreporting elder abuse at the national level, which makes it challenging to calculate precise statistics. According to the claim, there are more elder abuse cases than are reported because many of them go unreported. The authors classified elder abuse into seven different categories. According to a report from the NCEA based on data from 1996, the authors state that the average age of elderly victims was 77.9 years. (2011) Dr. Shashi Nath Mandal In this article, the author examines how older folks' rights are protected. The author describes the situation of the elderly in former times before describing how human rights were established and the international situation concerning senior people's rights. The author has examined the current legal,

social, ethical, and governmental norms and potential ways that elderly people's human rights may be infringed upon and they may experience harm. This article also represents the laws, regulations, and policies available to the elderly.

The author²⁰ recounts incidents of elder abuse, which are all too common in Indian Country. The author's article explains why elder abuse in India is significantly underreported. She points out that the stigma associated with being an abuse victim makes it difficult for many older persons to report elder abuse. Many elderly people rely on their abusers for supervision and worry about being punished if they report it. The author discusses several forms of abuse, including neglect, economic exploitation, psychological and emotional abuse, sexual assault, and physical assault.

The author²¹ presents findings from a new dataset that aimed to include results from a representative sample of individuals 60 and older from seven Indian states, all of which had higher participation rates than the country. The prevalence of elder abuse in India is examined in this study about the role of education. According to them, education is the major factor that unquestionably lowers elder abuse. The author contends that India's high rate of elder maltreatment may be reduced by the ongoing development of education beyond the basic school years.

The author²² emphasizes prevention and reviews the issues of elder abuse worldwide. The main issues in the field are thoroughly reviewed internationally in this article. Despite the lack of robust scientific intervention studies on elder abuse, the study identified 5 good prevention measures. The findings indicate that researchers have a growing agreement regarding the prevalence and causes of elder exploitation and the need to work toward more efficient and scientifically supported preventative programs. The author²³ has looked at the domestic abuse that older person's experience. To give social and environmental protection to the elderly, this document describes statistics on them, their difficulties, and suggested self-help techniques. Older people. What is the cause of disrespect for the elderly, and why do they not report abuse? The amount of knowledge that the elderly has about prevention measures has also been examined in this article.

The author²⁴ has examined the government services provided to the elderly and how the law affects them. Articles 41 and 46 of the Indian Constitution include protections for the aged, and several statutes have also included provisions with the old's welfare in mind. What are the 2007 Act's shortcomings, and how might they be closed? The government should update the rules governing the elderly and the services accessible because as society develops, living conditions and lifestyles also change.

The scope and character of elder abuse in the family were investigated in this study.²⁵ The study's reliance on publicly available reports and journal papers limited the data that could be gathered. Second, the study focuses on difficulties related to the elderly in urban regions and challenges (of various kinds) in rural areas. Their families frequently engage in inappropriate behavior toward the elderly, demonstrating how human values are being lost among younger generations. If the problem isn't resolved, a significant loss of human resources will result. Therefore, policies must be implemented, and urgent steps must be taken.

4. Statement of the Issue

Table 2. Services provided by caseworkers for adult protective services.

- Receive reports for abuse, neglect and exploitation in vulnerable adults 18 years of age and older
- Schedules a face to face visit within 24 to 72 hours depending on the allegation and whether or not the vulnerable adult is in imminent danger
- Investigates and substantiates the reason for the referral (*i.e.* caregiver neglect, self-neglect, physical or psychological abuse)
- Arranges for community services on a case by case basis which includes:
 - Transportation
 - Assistive devices
 - Home clean-up and repair
 - Meals on Wheels, food stamps or other food services
 - Purchases necessary medications on a short-term basis
 - Reinstates electricity, heat, and/or water
 - Emergency housing (*i.e.* if the victim is to be evicted or is in danger)
 - Arranges for a medical and/or mental evaluation
- Apply for emergency removals
- Apply for temporary guardianship in emergent cases
- Testify in both criminal and civil court hearings [29].

Except for premature death, old age is a necessary stage of human life that a man cannot refute. Children are naturally dependent on their parents and vice versa during the kid and old age stages of life. The idea of nuclear families disrupted this regular cycle by going against India's millennial tradition, which treats parents as God's divine form. This practice is still prevalent today. Parents today become a burden for their children when they lack the energy to work and earn. India now has a statute called the "*Maintenance and Welfare of Parents and Senior Individuals Act 2007*," however, because it is essentially a civil law and a defendant cannot be punished for harassing or abusing old persons, it is less efficient at defending senior citizens from harassment.

The study approach would be conceptual and include qualitative techniques of research. The analysis will consider the issues older persons must deal with. The initiative would also focus on how senior citizen laws could be improved. Data from both primary and secondary sources will be used in the study. Preliminary information would come from government reports, commission recommendations, relevant documents, memoranda, etc., while secondary data would come from books, journals, research papers, articles, newspaper articles, and other sources.

Table 1. Types of elder abuse.

Type of Elder Abuse	Definition
Self-Neglect	The behavior of an elderly person that threatens his/her own health or safety which excludes situation in which a competent older person, who understands the consequences of his/her decisions, makes a conscious and voluntary decision to engage in acts that threaten his/her health or safety as a matter of personal choice
Physical Abuse	The use of physical force that may result in bodily injury, physical pain, or impairment
Sexual Abuse	Non-consensual sexual contact of any kind with an elderly person. Sexual contact with any person incapable of giving consent is also considered sexual abuse
Emotional or Psychological Abuse	The infliction of anguish, pain, or distress through verbal or nonverbal acts
Neglect	Refusal or failure to fulfill any part of a person's obligations or duties to an elder
Abandonment	Desertion of an elderly person by an individual who has assumed responsibility for providing care for an elder, or by a person with physical custody of an elder
Financial Exploitation	Illegal or improper use of an elder's funds, property or assets [16, 17]


Table 1. Types of elder abuse.

The rules governing older citizens have several shortcomings, making it clear that they do not significantly impact society. Older adults endured a lot of mistreatments during the Corona era. Elderly people who are neglected, not given food or medicine on time, etc., suffer various forms of abuse. Education can significantly reduce elder abuse in India, and the government must enact stringent regulations to stop it. The lack of education is the primary cause of people's mistreatment of senior individuals.

5. Symptoms And Significance Of Elder Abuse

If any of the following indications or symptoms are present, additional research into abuse should be directed. The National Center on Elder Abuse and the Administration on Aging has provided the following criteria:²⁶

- a) Poor personal cleanliness, malnutrition, untreated or ineffectively handled medical issues, dehydration,
- b) Inadequate or inappropriate attire, a lack of the required medical supplies (e.g., eyeglasses, hearing aids, dentures),
- c) suspiciously arranged burn marks, fractures, abrasions, and bruises
- d) abrupt and mysterious absence from routine activity,
- e) bruising around or close to the genitalia, newly developing vaginal or rectal bleeding,
- f) the abrupt shift in cognition,
- g) Sudden changes in finances that prevent the elderly person from being able to pay bills, buy groceries, or buy prescription drugs,²⁷
- h) Threats and other verbal abuse put the caregiver's relationship with the senior at risk.
- i) In addition to the requirements listed above, the following signs and symptoms in the home environment warrant additional investigation:
- j) Unhealthy or dangerous living situations (e.g., improper wiring, no indoor plumbing, no heat, no running water, lack of utilities),
- k) Lack of a working toilet, an unpleasant toilet smell, filthy or unsanitary living conditions, and



l) Extreme housing need or homelessness

6. Research Results

When we look at the numbers, the proportion of individuals 60 and older increased from 9.2% in 1990 to 11.7% in 2013, and it is predicted to increase to almost 2 billion in 2050, more than doubling from 900 million that was in 2015.³ India will age daily because 8.3% of the country's population is 60 years or older. Therefore, in light of the population shift, it is necessary to alter how we approach the issues that the elderly face on physical, emotional, mental, and financial levels. And more recently, during the Covid-19 period, when the old were more frequently exploited, this exploitation of the elderly was observed. According to a recent NGO poll, 56.1% of seniors stated they were being abused in their homes and society, and 71% indicated they had experienced abuse during the lockdown. Such as not receiving adequate nutrition or medical care, etc. In a poll of 5000 persons, 2804 elderly reported experiencing abuse, and 79% of them added that we must deal with abuse as we age because of financial considerations.²⁸

Now, if we discuss crimes committed against the elderly, that is also a serious issue. More recently, in a report titled "*Elderly in India*" produced by the Central Government in 2021, including all the states and union territories, the crime rate against elderly individuals per 1 lakh population is quite concerning. 5 Indictments against senior citizens are still pending in 6.28 lakh cases, according to the most recent "*National Judicial Data Grid*." Senior citizens in India are protected by the "*Maintenance and Welfare of Parents and Senior Citizens Act 2007*," as well as by-laws based on other religions, including Hindu and Muslim law and the Indian Constitution. But if it turns out that the elderly are still being mistreated despite these protections, we'll need to figure out where the system is lacking and how to fix it, as well as what needs to be improved.

7. Final Thoughts & Suggestions

In conclusion, the issue of the elderly requires an immediate and extremely careful response. It is urgent to amend the Constitution and include a special provision for protecting elderly people on the periphery of fundamental rights. With the breakdown of the nuclear family, the relocation of family ties, and the disrespect for the elderly in today's environment, the family shouldn't be seen as a haven for them. Therefore, the State should establish a law in favor of the welfare of older residents and additional protection, including palliative care, following its constitutional obligation. The most knowledgeable people are the elderly and must be of higher social standing. Given the plight of the aged in our community, the old should receive comprehensive care to help them lead respectable lives. Numerous NGOs and organizations support older people and raise awareness about elder abuse. If the older members deteriorate, the younger members must care for and desire all their needs. Even though numerous laws and regulations protect and restrict senior persons' rights, the current conditions of the aged are not good. The government has always worked to lessen financial hardships by implementing measures to allow the elderly to lead regular lives. It is crucial to understand that everyone's moral and social responsibility is to protect and support the elderly in all facets of life. Given those old ways of doing things are being replaced by modern ways of doing things and by a quick-moving lifestyle that endangers the very foundations of humanity, it is necessary to reflect on and adhere to established laws and ethical practices. Therefore, we must safeguard and support the elderly so they can live honorably.

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