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Špatné zacházení s osobami pokročilého věku - se zvláštním zřetelem k domácímu násilí

Maltreatment of Persons in Advanced Age - with Particular Reference to Domestic Violence

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Summary

The publication is devoted to maltreatment of seniors. It is aimed at contributing to the mapping of incidence of maltreatment of seniors in families by their relatives in the Czech Republic, seen from the viewpoint of social workers. The publication is also aimed at providing the contribution of analyzing the experience and opinions of social workers concerning identification of some facts that induce the relatives to abuse their seniors. The publication is also focused on determining some facts that influence making this negative phenomenon public in this country. One part of the publication is focused on the phenomenon of maltreatment of elderly persons on a rather general level, in terms of defining this phenomenon, dividing it in individual types. Expected incidence of this phenomenon was also provided in the work, and attention was called to its latency. The publication also took cognizance of the aggregate term EAN (Elder Abuse and Neglect). On the theoretical level, special attention was then paid besides others to financial / material abuse of seniors by their relatives or neglect of elderly persons in the family. Attention was also focused on defining the term old age. Moreover, the publication sought to provide information on criminality concerning persons in advanced age in the Czech Republic registered by the police (victims in senior age and offenders of crimes against seniors) in 1994 – 2007, including data that concern Section 215a of the Criminal Code (maltreatment of a person living in a jointly inhabited flat or house). The presented publication also concentrated on more principal national and international documents that deal with the protection of seniors. It also dealt with legal regulations of the Czech Republic that may be applied in recourse due to maltreatment of elderly persons, also in cases of the so called domestic violence. Several cases of maltreatment of persons in advanced age in the family were described among case reports, which were investigated by the police or handled by courts.

The research exploration that focused on determining the incidence of maltreatment of seniors on part of their relatives (family members) and on the description of some facts related to incidence of this phenomenon and its publication showed the facts as stated further. (Information about maltreatment of seniors was provided by 58 social workers from Prague and the Central Bohemian Region during an anonymous questionnaire-based event in 2006; these social workers provide services to seniors in the privacy of their homes. The social workers provided evidence of cases of abusing the seniors whom they met in the period of the “past 5 years” (2000 – 2005). The term senior is understood as persons of both sexes aged 65 years and more. Social workers provided their information on 83 seniors [26 men and 57 women]).

For example, the following information was found out about these 83 seniors who were abused in their families:

- At least three quarters of the seniors suffered multiple kinds of maltreatment by their relatives (73.5%).
- The most frequently occurring maltreatment of seniors in the family included mental abuse. Mental abuse occurred in more than two thirds of them (69.9%). Approximately one half of the seniors experienced misuse of their financial resources and other property by some relative (49.4%). Physical abuse was noted in almost one fifth of the seniors (19.3%; in 16 persons; out of that, 6 men and 10 women). Neglect (in the sense of failure to provide hygienic care etc.) was experienced almost by 40% of elderly persons (38.6%). One female senior was also a victim of repeated sexual abuse (1.2%).
- Physical violence in the family in respect of the 16 elderly individuals named above was committed by men in one half of the cases and by women in the other half. The majority of seniors thus physically attacked in the family experienced such violence repeatedly (87.5%). Intensity of the violence was not determined.
- Almost 40% of the seniors were maltreated in the family by more than one relative (38.6%).
- At least 70% of the seniors out of the 83 investigated persons became victims of maltreatment in the family repeatedly (69.9%). More accurate frequency of abuse was not determined.
- As for the relationship between the abusers and the seniors, daughters in the family maltreated almost one fifth of the investigated elderly persons (19.3%); sons abused 16.9% seniors separately. However, the ratio of sons and daughters who were involved in abuse was

even higher as adult children of the seniors were found to be abusers also in combination with other relatives. For example, son and daughter together of the senior or grandson and granddaughter together of the senior abused 8.4% of the seniors at the minimum. Ill-treatment on part of the husband/wife or the spouse occurred in 16.9% of the seniors. Sons-in-law and daughters-in-law abused 7.2% of elderly persons at the minimum. The above named relatives were also involved in abuse together with other close relatives (for example, siblings of the senior, nephews, nieces and some others); however, their incidence was not very frequent.

- Obvious signs of physical violent behaviour toward the senior on part of his/her family members (scratches, swellings and/or fractures etc.) were registered rather sporadically by the social workers, with the exception of suspicious bruises. On the contrary, they often mentioned signs of poor treatment of the senior caused probably by rather passive conduct of the family members toward the elderly relative (excessive neglect [in 25.3% seniors], dehydration [in 9.6% seniors], malnutrition [in 10.8% seniors]) or they mentioned maltreatment of the seniors imminently affecting rather the mental than physical level (lack of communication [in 39.8% seniors], keeping the senior in mental or physical isolation, respectively [in 28.9% seniors or 22.9% seniors, respectively]).

- Most often, physicians were the first to learn about maltreatment of seniors by their relatives (in 27.7%; 23 seniors).

- The public learned about such maltreatment either upon notice of the social workers themselves or upon being notified by someone else, namely about 27.7% cases at the minimum of maltreatment of elderly persons in the family (about 23 cases).

- The most frequent reasons that were co-involved in the fact that the cases of maltreatment were not reported to the police by the social workers also included the senior's wish not to make his/her case public. Such a wish was expressed by 41.0% seniors.

- According to information provided by the social workers, the reasons of maltreatment in the family were usually manifold in individual seniors. 38.6% of elderly persons were abused by their relatives because the relatives wanted to acquire their cash (they usually took the whole retirement pension or its part from the senior). In the same percentage of cases, maltreatment occurred with the aim to use or acquire the flat or house of the elderly person. In 26.5% of seniors, their maltreatment had its roots in the need of using some other property of the seniors than that named above.

Furthermore, general lack of interest of near persons in the fate of their seniors was involved in the maltreatment of 28.9% of the seniors, as well as long-term poor family relationships in about the same percentage of elderly persons (in 26.5% seniors). Besides that,

alcohol abuse by the relatives played its role (in 16.9% seniors), abuse of drugs other than alcohol (in 2.4% seniors), as well as mental disease of the relatives (in 4.8% seniors). Besides that, exhaustion and being overworked of the family members in providing care to the elderly person had its share in maltreatment of the seniors in 15.7% seniors; in one tenth of the seniors, nervous failure of the care provider in providing care to a relative in high age had an effect (in 10.8% seniors); lack of living space in flats in cases of cohabitation of multiple generations was apparent as an effect in 6.0% seniors.

Furthermore, the following facts were also determined, for example:

- In the opinion of roughly two thirds of 20 questioned social workers holding managerial positions (65.0%), incidence of abuse of elderly persons by their relatives in the family today (in 2006) compared to the time about 5 years ago remained about the same. 15.0% respondents thought that the incidence trend was rising; the remaining respondents provided no opinion.
- Victims of crimes qualified as maltreatment of a person living in a jointly inhabited flat or house (Section 215a of the Criminal Code) included 189 persons aged 60 years and more in the Czech Republic in the period from June 2004 to December 2007 (thus during an approximately 3.5 years long period when the law was in effect). Among such persons, persons older than 70 years represented almost one half (47.1%). Approximately 40% of the 189 victims mentioned above were injured (38.6%). One victim died due to the criminal activity mentioned. 90.0% out of the 189 victims – seniors were women.
- During the above named 3.5 years long period, 165 prosecuted individuals included 86.7% men and 13.3% women. Almost 40% prosecuted persons were recidivists (38.8%). 90.9% prosecuted persons were more than 30 years old.
- Victims of the crime of abuse of a person living in a jointly inhabited flat or house (Section 215a of the Criminal Code) aged 60 years and more, registered by the police, formed 8.1% of all victims of this crime registered by the police during the approximately 3.5 years long period (June 2004 – December 2007).
- It followed from the police data that numbers of crime victims of abuse of a person living in a jointly inhabited flat or house (Section 215a of the Criminal Code) increased every year, not only in terms of total figures but also for persons in the age category of 60 years and more. However, this can probably be attributed rather to the today's, after all, higher sensitivity of the society as well as the police to this phenomenon than to a higher factual incidence of such a type of abuse.