

## HelpAge International Submission on Neglect, Violence and Abuse

8th Working Session of the Open-ended Working Group on Ageing, 2017

### Introduction

Older people themselves must be part of the growing discussion on their human rights. To this end, in February 2017 HelpAge International consulted older women across 19 countries<sup>1</sup> on the rights that will be discussed at the 8<sup>th</sup> Session of the UN OEWSGA. This submission presents the issues raised by the participants. It uses their own words and their responses have not been weighted. In light of the responses, recommendations have been made on the normative framework. The consultation only involved older women because we wanted to explore the multiple discrimination older women can be subjected to. We recognise older men are also subjected to ageism, discrimination, violence, abuse and neglect. The 250 participants were self-selecting so their responses are not a representative sample of older women.

### Guiding question 2a: Forms of violence

- **Psychological:** Participants reported older women being insulted, accused, coerced and bullied. They were screamed at, scolded and threatened. They were looked down upon, not listened to and forced to do things they did not want to do: *There is also a lot of psychological violence against older people, but in Chile if it is not accompanied by physical violence, the authority does nothing about it* (Group discussion, Chile). The denial of autonomy and need to control and subjugate older women came out in other examples where older women were being humiliated and infantilized: *If I want to wash my clothes then I have to ask [my] daughter-in-law for the soap. Sometimes she also hid [the soap] ... Even my movement in the house is restricted* (60, Nepal).
- **Physical:** Participants said older women were beaten, threatened with weapons and threatened with physical violence and death. Some talked about being deprived of their liberty for example within a room in the family home or by being institutionalised against their wishes: *There are many cases where older people are kicked out of the home or placed in a little room* (78, Kyrgyzstan).
- **Sexual:** Sexual violence identified included rape, attempted rape and other sexual violence said to happen in the home by people known to the older women. The difficulty in talking about sexual violence was recognised: *Sexual violence is rare, but maybe because women do not want to report it* (50, Tanzania). Sexual violence reported also included harmful traditional practices such as wife pledging and inheritance.
- **Financial:** Older women reported being taken advantage of for financial gain. This included family members taking their income or savings without their permission, being denied the right to use their income and property as they wished and being coerced through guilt to give large sums of money to family members: *Older women [are] being coerced into signing life-care contracts and therefore effectively signing off their property or income to another person in exchange for services they may or may not be satisfied with* (Group discussion, Serbia). Other examples included destruction or theft of property, such as crops and animals, and fraud and deception by service providers: *My older neighbour was cheated by the electricity controller* (67, Kyrgyzstan).
- **Neglect:** Participants reported being abandoned, being denied sufficient or appropriate food, not being allowed to bathe regularly, clothes and bedding not being washed, not being taken to the doctor, and children not visiting: *There's no one to even see me, no one to bring me a glass of water when I need it. I am old and alone now, no one needs me* (Group discussion, Serbia).
- **Structural violence:** Violence, abuse and neglect were not limited to the family or private sphere, or to individual acts of violence. More systemic and structural violence, abuse and neglect were also identified: *Our society is structurally violent and abuses older people, especially women. Many of them feel obliged to take care of the grandchildren or others in their family* (Group discussion, Chile). *The community and society [places] less value on the contributions of older women and ignores their voices and needs* (Group discussion, Cambodia).

**Perpetrators:** The participants identified a wide range of perpetrators including children, grandchildren, daughters-in-law, sons-in-law, and close relatives such as nephews, husbands and co-wives in polygamous marriages: *I am compelled to live here with my daughter-in-law and grandson with great fear of being physically abused* (83, Nepal). Perpetrators identified extended beyond the family to neighbours, community members, tenants, business partners, shopkeepers and other service providers such as doctors and health workers, banks and repairmen: *On public transport, in shops and markets, we do not get proper service* (53, Mongolia). The participants also reported people in positions of authority as perpetrators including traditional rulers and local and national government authorities. Being unemployed or affected by alcohol or drugs were identified as two drivers of violence, abuse and neglect. Participants called for justice, for punitive sanctions for perpetrators: *Better and quicker penalty procedure for the culprits* (74, Slovenia).

<sup>1</sup> Belize, Cambodia, Chile, Costa Rica, Kyrgyzstan, Moldova, Mongolia, Nepal, Nigeria, Panama, Peru, Russian Federation, Serbia, Slovenia, Tanzania, Uganda, Ukraine, United Kingdom, Zimbabwe

**Setting:** The participants identified the following locations where violence, abuse and neglect took place: at home, at work, in care facilities, in the community, in the street, in shops, in the marketplace, in fields, on the way to collect firewood, on public transport, in bars, in waiting rooms, in hospitals and health centres, on the phone, in banks, and in other service centres.

### **Guiding question 2b: Specific groups of older persons**

Those identified at heightened risk included those living in rural areas, older migrant or refugee women and older women with disabilities: *Older women with disabilities...may be subjected to any kind of violence* (67, Kyrgyzstan). Others identified were older women who are heads of households and those who had moved from a rural to an urban area and those with low literacy levels: *My illiteracy is making me more vulnerable towards violence, abuse and discrimination* (60, Nepal). Others included those who receive care and support for independent living, older single or older widowed women: *Older women are forced to shave their head and drink part of the water used to wash their husband's corpse before burial* (73, Nigeria).

The cumulative impact of a lifetime of violence and abuse and its exacerbated impact were raised by participants: *Women have often faced a lifetime of coercion, bullying and violence. In older age, women are often afraid to talk about what has happened to them and have learned to accept this 'silent' form of punishment* (61, United Kingdom) and *My husband would beat me for many years too, and only after he died could I get over it* (73, Moldova).

### **Normative framework for the right to freedom from violence, abuse and neglect**

Older women's experience of violence, abuse and neglect reported in this consultation has the following implications for the normative framework for this right:

#### **All forms of violence, abuse and neglect**

- The right to freedom from violence, abuse and neglect in older age should include all forms of violence, abuse and neglect against older persons.

#### **Public and private spheres**

- The right should apply to violence, abuse and neglect in private and public settings.
- Acts perpetrated by both private and public actors should fall under the right.
- States may be responsible for private acts of violence, abuse and neglect against older persons if they fail to act with due diligence to prevent, protect, prosecute, punish and provide redress for the harm suffered.

#### **Prevention**

- States should have an obligation to take steps to prevent violence, abuse and neglect in older age in relation to, inter alia, legislation and its effective implementation; training of care providers, health care and social workers, the judiciary and law enforcement; appropriate needs assessments, regulation and monitoring of situations of care and support provision; public prevention campaigns; and research into the intersectional drivers of violence.

#### **Support services**

- The right should provide for access to a range of support services for survivors of violence, abuse and neglect, including but not limited to a full range of medical, psychosocial, rehabilitative and legal services; access to information about available support and services; access to appropriate victims support services; and access to effective remedies and redress.

#### **Remedies and redress**

- The right should provide an obligation on States to assist survivors with making complaints.
- The right should provide an obligation on States to investigate and lay criminal charges.
- The state should begin with the assumption that the individual is best placed to judge his or her own well-being and observe self-determination of the survivor.
- Criminal justice responses, criminal offences and sentencing practices should reflect the aggravated nature of offenses against older persons.
- Older age should not limit compensatory damages or access to survivor services.

#### **Data and statistics**

- The right should provide an obligation on States to collect, disaggregate, analyze, utilise and make public at regular intervals appropriate information and statistical data on all forms of violence, abuse and neglect.
- This should include prevalence and trends, risk factors, perpetrators, access to support services and effective remedies and redress.
- All information gathering and research should comply with internationally accepted norms and ethical principles in the collection and use of statistics.

A full report of the consultation findings will be submitted in advance of the 8<sup>th</sup> Session and can be found [here](#). For further information contact Bridget Sleep, HelpAge International [bsleep@helpage.org](mailto:bsleep@helpage.org)