

HIDDEN VOICES

– Elder Abuse

Safety Guide for the Elderly

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Introduction

This safety guide for the elderly provides information on abuse and examines its various manifestations, gives details of where an elderly person may turn for help and support, and includes safety instructions. The guide emphasises the criminal nature of abuse; treatment of the subject, therefore, also includes the legislative viewpoint.

Elder abuse belongs to the phenomenon of family and intimate partner violence. By this we mean violence where the perpetrator is a current or former spouse or cohabiting partner, an intimate partner, a sibling or child. As carers often hold a unique position and relationship with elderly persons in their charge, whether in an institution or in open care, abuse by a care personnel operator is categorised under intimate partner violence in this guide.

Elder abuse and violence possess special characteristics when compared to the younger age groups usually involved in family violence. Background factors may be the most diverse, embracing the changes brought about by the ageing process, the poor mental and/or physical condition of the elderly, long-term relationships and the different cultural attitudes, for example, with regard to breaking out from family and intimate partner violence.

Abuse may prove difficult to identify. We feel, therefore, that it is vital to provide information and to make clear that abuse in any form is unacceptable. We hope that this guide will assist the elderly, their relatives and loved ones in seeking help in situations where they suspect that elder abuse has taken place.

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What do we mean by elder abuse?

Although age brings with it wisdom and experience, the situation within the family or between spouses, relatives and friends may sometimes culminate in fear and oppression. Abuse may manifest itself as spousal, family or intimate partner violence, where cruel treatment occurs in close human relationships.

Threats, pushing, name-calling and attacks issue from one's own partner. At this point, when fear and oppression enter the picture, it is no longer a question of quarrelling or a difference of opinion. Insult, subjugation, threat, intimidation, control, jostling, slapping or hitting do not belong in human intercommunication.

Illness may affect a loved one in such a way that they begin behaving strangely and aggressively, turning the responsibility for care into a suffocating burden. Those responsible for care may misuse their authority and violate their charge's right to self-determination. Adult sons and daughters may demand money or financial help beyond that which the parents are able to give.

Abuse may also occur at the hands of professional staff, manifesting itself in subjugation of customer or patient, violation of rights, insulting speech, neglect of care and assistance, or an overly aggressive approach when considering the care situation.

Abuse may take the form of

- Physical violence; this refers to the causing of physical pain or injury, leading to bodily damage or a deterioration in health, for example, through hitting, jostling, squeezing, grabbing or dragging.
- Psychological violence, where a person is deliberately subjected to psychological oppression or fear, for example, through name-calling, shouting, threats, humiliation or control, or being treated patronizingly and insultingly. Control refers to repeated attempts to govern and restrict another person's life.
- Religious, spiritual violence, which may be exploiting a person's distressed state or purposefully breaching basic security. Spiritual violence equates to psychological violence.
- Sexual abuse, which refers to any kind of sexual act or attempted sexual act, to rape, or to coercion into sexual intercourse. It may take the form of sexual subjugation, oppression, harassment or violation. Sexual violence may also consist of other kinds of assault.
- Economic exploitation, which refers to the use, sale or disposal, illegally and contrary to good practices, of a person's finances or other property. Economic exploitation may also be

different degrees of extortion of finances or other property by threat of violence, withholding of treatment, abandonment or rejection.

- Negligent care or assistance, which may be deliberate (active) denial of treatment or care responsibility for a person in need of help, for example, by administering over- or underdosages or neglecting treatment, which results in physical suffering. It may also refer to unintentional (passive) neglect of treatment. In such cases failure of care may be due to incompetence, lack of knowledge, exhaustion or apathy on the part of the carer.
- Restriction or violation of rights, which may be the use of speech or the carrying out of treatment measures patronizing or insulting to human dignity. It may also refer to the denial of basic rights, including the right to one's own opinion, choices or privacy, to the restriction of freedom, to exclusion or the prevention of access to basic services, for example, denial of medical services and home care.

In practice, situations of abuse and violence give rise to a variety of forms of these two phenomena. Psychological and even physical violence are often linked to economic exploitation. Treatment neglect often causes psychological and physical suffering through pressure sores and undernourishment, for example. Sexual violence invariably conforms with the characteristics of psychological and physical violence.

Who is vulnerable to abuse, and where?

The home is where most of the abuse directed at elderly women occurs, and of about half of that directed at elderly men. Men are more often subject to violence outside the home than women, at the hands of both known or unknown assailants. Finnish research reveals that 7% of women and 2.5% of men over the age of 65 have experienced family violence. Anyone may fall victim to abuse, but elderly persons with reduced physical and/or psychological functions are especially at risk.

Who might be the perpetrator of abuse?

The abuser may be an elderly spouse, adult son or daughter, grandchild or other relative; son- or daughter-in-law, sister or brother or any other relative, acquaintance or neighbour. Care sector professionals may also render themselves guilty of abuse if they have failed to absorb the ethical practices relating to their profession.

What can be done?

There is no need to accept abuse and violence. The most important thing is to talk about it with someone you trust. Together, new means can be discovered for resolving the situation. Professional help is available from the local emergency social services, social workers, home

care and health centre staff, shelters and the police. Organisations and associations focused on work to combat violence and on the special issues of the elderly also provide help, support and guidance.

Emergency number 112

The Emergency Response Centre recommends calling 112 in urgent, real emergency situations involving threat or danger to life, health, property or the environment. You should not dial 112 in non-urgent matters or simply to make enquiries. No area code is needed for making an emergency call, and the call is free of charge.

Municipal home care

Home care services provide support in day-to-day tasks in the home that customers are unable to perform themselves. The task of home care is to arrange care and services in a way that enables a safe life at home.

Municipal emergency social services

Municipal emergency social services provide help for those who succumb to an urgent need for social work. Services consist of advice and guidance, assessment of social work needs and initiation of action in problem situations. Emergency social services operate around the clock in most municipalities.

Municipal social work

The task of social work is to help and support individuals, families and communities living in difficult circumstances. Several municipalities employ social workers specialised in the elderly and in services for the elderly. Social workers are bound by confidentiality and professional secrecy in their dealings with customers.

Doctor

You may consult a doctor in all matters of concern relating to your personal health. If you have fallen victim to physical or psychological violence it is advisable to visit the doctor even though at that stage you are not ready to take the matter further or submit an offence report. Doctors are bound by confidentiality and professional secrecy.

Police

The task of the police is to safeguard the legal and social system, maintain public order and safety, prevent and investigate crimes and forward them for consideration of charges. The

police also provide advice and assistance in taking a criminal case forward. The national telephone number for the police is 10022.

Patient ombudsman

The role of the patient ombudsman is to promote and implement patient rights and to improve the quality of patient care. The patient ombudsman primarily advises and, where necessary, assists patients and their close family in problems relating to care and treatment. The patient ombudsman provides information on patient rights and aids if required in preparing a complaint or notification of claim for treatment injury.

Church welfare work

Church welfare work strives to reduce human suffering and improve human living conditions and quality of life. Church welfare workers may be visited at the local church welfare office, but also carry out home visits by request. Most churches have welfare workers who are trained in the concerns of the elderly.

Social ombudsman

The social ombudsman works to promote the rights of the customer by, for example, informing customers of their rights, giving customers advice on matters relating to application of the Customer Act and assisting them in preparing complaints about treatment to the person in charge at the social welfare unit or to the relevant executive official.

Shelter

A shelter provides immediate safety and assistance around the clock to victims of, and those living under the threat of, family and intimate partner violence. Work at the shelter is carried out in close cooperation with social work and other parties in an assisting role. The aim is to create the conditions for a safe life which will serve beyond the shelter phase. The stay at the shelter is defined by life circumstances and a mutually drawn up plan. Help and advice can also be obtained over the telephone from most shelters.

Abuse and the law

Physical violence is always a crime, whether it occurs in a public place or within the confines of the home. Assault and aggravated assault are crimes subject to public prosecution. Offence reports must be submitted to the police. The task of the police is to launch a criminal investigation. After an offence report has been submitted the responsibility for taking the matter forward is transferred to the police, the prosecutor and the court. Petty

assault is a complainant offence where progress in taking the matter forward depends on the activity of the victim.

Assault crimes are subdivided into assault, petty assault and aggravated assault. Assault under the Penal Code of Finland (chapter 21, section 5) refers to an act where a person employs physical violence on or damages the health of another, causes pain or renders another unconscious or to a comparable condition. An attempted assault is also a punishable offence. The assault is aggravated if it causes grievous bodily injury or serious illness to another or another is placed in mortal danger, or the offence is committed in a particularly brutal or cruel manner, or a firearm, edged weapon or other comparable lethal instrument is used and the offence is aggravated when assessed as a whole. The Penal Code also refers to other crimes involving physical violence, such as bodily injury, imperilment, abandonment and neglect of rescue.

Similarly, sexual violence is always a crime. Rape within marriage was criminalised in Finland in 1994. Rape (Penal Code, chapter 20 section 1) occurs when a person coerces another into sexual intercourse by the use or threat of violence. Under the Penal Code sexual violence is subdivided into aggravated rape, coercion into sexual intercourse, coercion into a sexual act and sexual abuse. Punishments for acts of sexual violence range from fines to imprisonment. Attempts at any of the above are also punishable.

Other crimes involving abuse and violence include invasion of domestic premises, defamation, deprivation of personal liberty, menace, coercion, crimes against property, malicious damage, fraud, misuse of a position of trust, extortion, message interception (for example, opening another's post) or even animal welfare offences if violence or abuse is targeted at a family pet.

A restraining order may come into play in situations involving threat to another's freedom, peace, health or life. A person bound by a restraining order may neither meet the protected person nor otherwise make contact, for example, by telephone, text message, e-mail or letter.

Typical cases where a restraining order may be imposed include severe harassment by a former spouse or cohabitant through making contact or attempting visits, and situations where adult offspring attempt to extort money from their elderly parents. A restraining order may be requested by anyone who genuinely feels threatened or harassed by another person.

A restraining order may also involve persons living in the same household, where the person being restrained must stay away from the mutually occupied apartment.

Application for a restraining order can be made in writing or orally either to the police or direct to the district court. A prosecutor, the police or social welfare official may also apply for a restraining order on behalf of persons being threatened if they feel unable to apply for one themselves. Breaching a restraining order is a punishable offence. Such a breach is subject to public prosecution and the matter will be taken to court by a prosecutor.

General safety instructions for the elderly:

- Keep in regular contact with your friends, relatives and acquaintances. Tell them your movements and daily programme.
- Get to know your neighbours and choose one of them that you can trust for when you need help. Decide on some mutually-understood signs that you can use to communicate with each other in case you are unable to use the telephone (for example, the position of curtains, rings on the doorbell, etc.).
- Avoid being alone with a relative who threatens, blackmails, behaves aggressively or violently or demands money.
- Don't keep objects and items at home which an assailant might use as a weapon (for example, heavy vases, bottles, scissors, knives).
- Wear a security alarm (security bracelet, panic alarm phone) if you are afraid of violence in your home.
- Have escape routes ready for when you need to leave your home quickly under threat of violence.
- Don't hesitate to escape a situation where you feel threatened.
- Always keep your mobile phone close at hand.
- Programme speed dialling of the numbers in your mobile phone for police and ambulance, and a trustworthy friend, relative or neighbour. You can also save a relative's number to your mobile phone's memory as the letter combination ICE (In Case of Emergency).
- Keep a small bag near the main door containing the key to your home, a small amount of money, medication to last a few days, a change of clothing and toiletry ready packed, in case you need to leave home quickly under threat of violence.
- Always tell someone about things that have happened, your fears and concerns.
- Always remember to look through the security peephole when the doorbell rings: if you don't know who is ringing the bell, don't open the door. You can ask the caller the reason for the visit without opening the door.
- Workers from the voluntary friendly visiting service, municipal social work, health care services or the church would never call without having previously made an appointment. Ask the person wishing to enter your home for a telephone number so the matter can be confirmed, before you let anyone in.
- Don't leave your key in a flowerpot, under the doormat, on top of the door jamb or anywhere else outside your home.
- Always double-lock your door when you leave home.

- Don't leave messages on your door or in the post box; they tell others that the home is empty.
- If you live alone, leave the outdoor light and/or indoor lights on when you leave home.
- You can leave the radio on when you go out.
- Don't keep large sums of money or valuable items at home.
- Don't arrange meetings over the phone with strangers.
- Keep your bag in front of you when you are walking in town.
- Never put money in a rucksack if you are carrying it on your back.
- Don't keep money in your bag if you put in your shopping trolley.
- Don't take money out when you are in the street.
- When you are entering the PIN number for your bank card always position your hand and body to prevent others seeing.
- Always have someone with you for support when visiting your bank, and to accompany you safely home if you need to withdraw a large sum of money from the bank or from a cash machine.

Principal and auxiliary organisations trained in the concerns of the elderly and in work to combat violence:

- The Alzheimer Society of Finland and its member associations, (09) 6226 200, <http://www.alzheimer.fi/eng/>
- Apua.info; portal for crisis support web services, www.apua.info
- Eläkeläisliittojen etujärjestö EETU ry (Pensioners Associations' Interest Group): The Pension Association, (09) 7257 1100, www.elakeliitto.fi
- The Pensioners Association, 020 743 3610, www.elakelaiset.fi
- The Central Association of Finnish Pensioners, http://www.elakkeensaajat.fi/in_english/
- National Senior Citizen's Union, 0207 488 445, www.senioriliitto.fi
- Association of Swedish-speaking Pensioners, 020 7288 810, www.spfpension.fi
- The Union of the Christian Pensioners, (09) 351 1145, www.krell.cc
- Jussi-työ; work with men towards breaking the cycle of violence, www.ensijaturvakotienliitto.fi/2toiminta/3jussi.html
- Lyömätön Linja in Espoo; help for men who commit acts of violence, (09) 276 6280; www.lyomatonlinja.fi
- Finnish Central Association for Mental Health, (09) 5657 730, www.mtkl.fi
- Miesten keskus (Centre for Men); help in difficult life situations through discussion, (09) 612 93750
- Multicultural Women's Resource Centre MONIKA; support for immigrant women who have experienced violence, (09) 6922 304, www.monikanaiset.fi
- National Women's Line in Finland; 0800 02400, <http://www.naistenlinja.com/en/index.html>
- Legal Aid Offices; victims of sexual offences and family violence can obtain legal advice, www.oikeus.fi/4313.html

- The Association of Care Giving Relatives and Friends and its member associations, 020 7806 500, <http://www.omaishoitajat.com/english.php>
- The National Family Association promoting Mental Health in Finland, (09) 726 1185, www.omaisten.org
- Police, 10022, more details about making an offence report and on restraining orders www.poliisi.fi
- Rape Crisis Centre; 0800 97 899, free legal consultation 0800 97895, www.tukinainen.fi
- Victim Support Finland; Help line 0203 16116; Legal telephone consultation 0203 16117; www.rikosuhripaivystys.fi
- Suomen muistiasiantuntijat ry, (09) 454 28 48, www.dementiahoitoyhdistys.fi
- Finnish Association of Shelters for the Aged, tel. (09) 726 24 22, www.suivantory.fi
- Finnish Online Family Shelter; www.turvakoti.net
- Central Union for the Welfare of the Aged, (09) 3508 600
http://www.vanhustyonkeskusliitto.fi/fin/in_english/