

## **Community and Law Enforcements in Preventing Elderly Abuse – Critical Analysis on Human values in India**

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### **Abstract**

Nowadays people are confined with life style of stress, adjusted and isolated dramatically to the progressive dimension of stressful life in working condition, property, status, wealth. On the other end somewhere people are being suppressing the humanistic approach of the natural human tendencies, humanity and human values. Socialization makes man civilized, but some sort of attitudes is forcing society into innumerable social problems. In that, violence's, abuses are undoubtedly mixed up as a part of the livelihood. In that main concern on elderly abuse and neglecting old people is terribly considered to be violence against elders. The gerontology and its values are more concern in recent development. The 21<sup>st</sup> century is designated as "Century of elderly person". There are various reasons to know about the elderly people and their problems also their condition, physically, socially, economically, and psychologically. The role of Law enforcements is to work for prevention of violence by influencing and implementing various legal factors in order to prevent also in order to look upon the conditions. The present existing laws in regardence with elderly abuse ,and other form of domestic violence's and their present impact on the society, preventive measures and break down of human values are critically made analysis, discussed in this paper by various secondary sources like reports of institutes, surveys and also in consideration of existing law and community services .

### **Introduction**

It seems very strange as social mobility takes place, the life style of people will also change. India is the country where social and cultural factors are integral part of our daily life. As society gets progressed mean while there will be changes in the people's mindset. For this, breakdown in social norms, violation of human rights these are the serious consequences which destroy human values and morality. In the recent development of crime scenario elderly abuse is also considered to be one of the serious offences. It's a shameful offence in the society, where negligence, disrespects are shown towards elderly parents. Most of the cases are reported in the big cities across the country according to "Help age India report (2013)". Domestic violence, offences against elders is not only criminal offences but also major social problems in India. Many reports and several studies even NGO's conducted survey based on elderly abuse and its impact, which indicates the attitude among young generation somewhere they are panic in

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their life due to lustful, they are behind status and more earnings without knowing what they are and without aware of their family responsibility. According to The findings of the 'Elder Abuse in India (2013)' report released by NGO Help Age India survey, more than focusing on the number of elders who chose to come out and share about their trauma, and reveals how an astonishing number of such cases goes unreported every year. Many laws are made in order to protect the rights of the elderly generation. It's like stigma on the society if we do not care senior citizens of the country. Other side in order to control over the consequences law enforcements is implementing many programs and the penal sanctions to make prevention. If we are truly civilized then, There is need to think on older generation. its not like only urban people do more, in fact it also in the rural is well. Some of the offences do not registered to police because of hesitation and threat of younger generation. Naturally elders would become dependent on others due to their aging and physical condition. So to prevent such things law enforcements and criminal justice system should come out with re-emerged ideas in order to prevent and make awareness among young generation.

### **United nation principles**

United nations in 1991 formulated principles for guidance in the areas of elders participation, care , self-fulfillment and dignity. Universal declaration of human rights also plays vital role.

### **Elderly abuse as a social concern**

Elder abuse is one of the serious social problems where the human values are made assessed with the people's behavior. Nowadays the attitude of the young people as become very worst in behavioral pattern, they are neglecting their parents and keep on abusing them. There are many reason s for abuse, *Firstly*, human tendency is to get into the all kind of assistance, and human beings are social animals. The most serious thing is going away with the human values. Hence there is a need to protect their rights. *Secondly*, there is a need to think of human morality, abusing elders and violence on there for selfishness of the younger generation. These are the basic fundamental issues leading elder abuse presently. The human beings are bounded with the human relationship which cannot be abolished. Every individual should go through the process of socialization, today the mindset of people changing dramatically for their status, job, marriage, settlement, life style 's these are not ordinary form of social change. There should be strict law in order to punish them seriously, and create deterrence among those who neglect their parents.

### **Dark figure of crime**

Elder abuse largely goes unreported because most of the elders they don't want any kind of risk at their end of the life. They hesitate to report it and also they try to avoid those situation even they behave good for the future of their children .they accept their pain both psychologically and physically. Even in the rural, large cases go unreported and without any support to them. Urban situation is worst by the comparison. According to the help age India report, Elder abuse in India (2013),

- 70 % of those abused, did not report the matter
- Maintain confidentiality of the family dignity, they were failed to report.
- 23% are due to "Fear factors"
- One fifth of elderly which means 20 % did not reported as they say "Did not know how to deal with the problems".
- 35 % are elderly abused reported to be facing it almost daily.

## **Role of Law enforcement agencies and Preventive measures and legal frame**

Law enforcements should always work in order to protect human dignity, and to look after the very serious issues that may cause impact on elder people. The prevention of this is to be started right from the change of attitudes which elders are facing. Nature made law is to depend on others. Human being is supposed to be dependent in one or other way through their life. Hence for the protection of elders there some legal and constitutional safeguards. United nation declaration on human rights are the most favorable rights of each and every individuals they have rights to lead life with dignity without any sort of discrimination and other individual personal life. Some of the constitutional provisions will also guard human dignity; hence elder abuse is one of the violations of fundamental rights and dignity. The Indian Union Cabinet's approved a law - Maintenance and Welfare of Parents and Senior Citizens Act, 2007, aimed at serving the elderly live in self-respect and peace. This is such a bill that imposes responsibility of every child to look after their parents at their dependency on them; it is to facilitate seniors and to maintain their dignity. State also opened many old age homes to the protection of seniors. State also provides some sort of aid to the senior citizen in all the government institution in health departments, transports, banking etc., Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is a legislation enacted in 2007, initiated by Ministry of Social Justice and Empowerment, Government of India. to provide more effective provision for maintenance and welfare of parents and senior citizens. This act indicates senior citizen those who crossed 60 years of age. Children are supposed to take care of seniors, parents if the violation may lead them to undergo penal actions. Government protection elder's dignity with respect; government has provided many facilities in health, old age pension, concession in transports, banking, and mental health.

### **Elder abuse and Victimization process**

Elder victimization can be very serious in the society. Today the concept of life style dramatically replaced with joy and status, earning point of view. So young generation are behind status and joyful life without having sense of human values. They are neglecting old people and most of the chance of violence against elders takes place.

### **Victim precipitation chances and Problems of the aged people**

1. They need dependence on their children
2. Physical and health problems
3. Nutrition, lack of physical strength
4. Psychological they need support and care which they naturally expect from their children, if not, it will impact on them seriously.
5. Physical Abuse:
6. Psychological
7. Financial exploitation.
8. Neglect

### **Offences can be classified against elders**

The nature of offences against elder can be listed. The serious crimes is neglecting parents and sending them out of the houses. That should be punishable if any children do not care their parents. Nowadays the crimes are very situational; it's very difficult to analyze the reasons.

1. Physical violence.

2. Sometimes sexual abuse
3. Extortion
4. Threat
5. Murder
6. Cheat/ frauds
7. Property crimes.
8. Geronticide.

## **Methodology**

### **Objectives of the study**

- 1) To explain the consequences of elder abuse in India and its impact on the human values and morality.
- 2) To analyze the reasons for dark figure of crime (not reported to the police).
- 3) To study legal provision and preventive measurements of elder abuse through the law enforcements agencies and existing government policies.
- 4) Impact of social mobility and changes in life style (nuclear families).

### **Data collection and methods:**

The various secondary sources are been used for the analyzing the study by using reports of government and non- government institutes, by the reference of surveys report and also in consideration of existing law and government provisions.

### **Distribution of elderly abuse not reported in different states (%).**

Maharashtra	45.9
Karnataka	47.9
Delhi	58.9
Utter Pradesh	59.5
Jharkhand	62.8
Tamil Nadu	63.2
West Bengal	63.4
Odessa	67.9
Tripura	68.1
Gujarat	69.1
Andhra Pradesh	72.8
Kerala	75.8
Utter Khand	78.2

Haryana	87.0
Chhattisgarh	87.9
Punjab	96.9
Himachal Pradesh	98.2
Rajasthan	100.0
Jammu Kashmir	100.8

**Source: Help age India report (2013).**

### **Discussion and Suggestion**

The problem of elderly abuse is one of the serious offences which is also social problem. This is the offence which is considered to be

1. Offence against the human values
2. violation of fundamental and
3. human rights,
4. Violation of basic humanistic principle.

Hence the human values are made questionable by these kinds of incidents. Firstly, elders should treat as friends, because of their dependence due to the age factors they naturally in need of others. so it is their parents duty to care them in order to respect their problems and the physical condition.

#### **Community service in the prevention of elderly abuse:**

1. Awareness among young generation, to respect, care, in order to protect Elders - young generation should hold concern on elders. And they have disrespect towards elders. So there is a need to proper guidance through the community service in order to make awareness.
2. Health issues facilities to be made easy.
3. Fighting against elder abuse. & moral education: There is need of proper education and whole community should join and fight against elder abuse.
4. Encourage to register complaints. Or to report: increasing rate of crime and domestic violence, there is responsibility on every citizen to report crime to police. People should create such awareness among members of the society.
5. Free legal & medical Assistance to elder victims.
6. Awareness of provisions and safe guards. & their rights.
7. Insertion of moral education in schools to create awareness on elder dignity, issues to teach at school levels, in this role of academicians should take responsibility.
8. Community policing is another major change we can do to bring some changes and in preventing elder abuse.

## **Law Enforcement :**

1. Creating Deterrence – Implement of strict laws, changes in Police & Judicial actions and powers
2. Immediate action through Police.
3. Severe Punishments.
4. Care & maintenance - As rights of parents.
5. Property of the elders – should hold certain conditions
6. Government policy against neglecting elder's health.
7. Advise through judiciary, awareness to Report crimes

## **Role of police departments:**

It should be sensitize and train police staff about elderly abuse towards its prevention. There should be co-operation between community and police, security as a major concern there should be proper training for police persons who specially deal with elder abuse.

## **Conclusion**

Elder abuse is such a shameful act whole humanity should worry. Its global problem all over the world. Particularly in India it's a major social problem undoubtedly. Countries like India we have some sort of normative standards; we cannot go against the societal rules. Elders are the people who made society; they are the one who built society. As children grow up, their behavior pattern will get change. The socialization will also play vital role. Family is the main stream of socialization. Law enforcements are just to look on order of the society; law enforcement alone cannot be successful in combating. Still judicial authorities brought significant laws in order to prevent. Some of the government policy for elders even supports. Still there is to bring changes in the mind set of young generation which would be not so easy.

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