**Submission to the “Call for Inputs: Violence, abuse and neglect against older persons”**

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We are responding to this call based on some ongoing research we have been undertaking on domestic abuse and older people. As such this submission is focused on that issue.

**Legal, policy and institutional frameworks**:

In the UK the Equality Act (2010) prohibits discrimination based on age alongside several other protected characteristics. The Act legally protects people from discrimination both in work and wider society. The Equality and Human Rights Commission is the UK’s national equality body and can receive complaints regarding equality and human rights including age discrimination. As a statutory non-departmental public body established by the Equality Act (2006), the Commission operates independently. They have powers to challenge discrimination, promote equality of opportunity and protect human rights. They can work with organisations and take action against those who abuse the rights of others. A separate Equality and Advisory Support Service is also available for people to get advice.

The Care Act (2014) puts adult safeguarding on a legal footing. It provides Local Authorities with a duty to ensure suspicion of abuse is investigated for people who have care and support needs. Domestic abuse is a category of abuse under the Care Act alongside physical, sexual, emotional, psychological and financial abuse, discriminatory and organisational abuse, neglect, self-neglect and modern slavery. The Care Act Statutory Guidance (2014 updated 2016) provides details of what the safeguarding process should look like, and on the policy and procedures agencies are required to develop. Localised Safeguarding Adults Boards should ensure both statutory and voluntary agencies in their area have appropriate policy and procedure in place. The Care Act is not exclusively for older people but includes all adults of 18 years and over.

Separate legislation focuses on domestic abuse including Domestic Abuse Crimes and Victims Act (2004) and the Domestic Abuse Act (2021). Neither focus exclusively on older people. There is no UK wide plan, policy or strategy to specifically address violence and abuse against older people. Preventing the abuse of older people is a key part of the Older People’s Commissioner for Wales Work Programme 2022-24 (<https://olderpeople.wales/wp-content/uploads/2022/06/Work-Programme-2022-24.pdf>).

**Manifestations of violence**:

Many older people experience domestic abuse but this is a hidden issue with little focus in terms of policy or practice. Domestic abuse is defined in the UK as abuse which occurs between people aged over 16 who ‘are personally connected’ (which includes partners, ex-partners, parents, and relatives) (‘Domestic Abuse Act,’ 2021). Abusive behaviour under the Domestic Abuse 2021 includes physical, sexual, economic, psychological, emotional, or other abuse as well as including violent, threatening, coercive or controlling behaviour. Domestic abuse in the older population has a number of unique challenges and complexities, including financial barriers (including poverty and financial abuse), coercive control, self-blame, greater likelihood of care giving dynamics, and potentially having lived with the abuse for a long time (Bisdee et al., 2012; Purdam & Prattley, 2021; Safe Lives, 2016). However, it is often picked up and dealt with solely through adult safeguarding processes which means older people are often not able to access the specialist domestic abuse support services that other, younger people, would be offered. Existing services are not set up to meet the needs of older people and there are also issues with risk assessment tools which have been developed for a younger population (Lonbay & Southall, in review).

**Intersectionality**:

Most victims/ survivors of domestic abuse in later life are women; Age UK (2019) reported that 67% of victims/survivors were female (67%) and that most perpetrators were male (81%). There is little known about how domestic abuse affects specific older groups, although it is reported that the risk of domestic abuse is higher for older people with dementia (McCausland et al., 2016). The higher likelihood of care needs in the older population contributes to the complexity of domestic abuse in the older population, for example, health and mobility issues (particularly where there is also a caregiving dynamic present) may impact on whether the person will seek support or leave (Lonbay & Southall, in review; Lundy & Grossman, 2009; McGarry et al., 2014; Wydall et al., 2017). Additionally, where there are care and support needs present the abuse is more likely to be seen solely through the lens of an adult safeguarding concern. This is problematic for several reasons, including because it contributes to the invisibility of domestic abuse as an issue for older people and to the lack of available specialist domestic abuse services which are tailored to the needs of older people. Adult safeguarding tends to focus on age rather than gender and an intersectional lens is largely missing from the literature on elder abuse.

**Data**:

Prevalence rates for elder abuse are difficult to establish and there is little UK based evidence. O’Keefe et al. (2007) estimated that 2.6% of older people living in the community experienced abuse each year. This rose to 8.6% when the definition used was widened to include single instances of neglect and psychological abuse (these were excluded from the initial analysis) (Biggs et al., 2009). O’Keefe et al. (2007) also found that the main perpetrators of abuse were family members or a partner meaning that many of these cases can be categorised as domestic abuse. Age UK (2019) reported on domestic abuse figures suggesting that 3.1% of people aged between 60-74 experienced domestic abuse in 2017. They also reported that most of the victims/survivors were female (67%) and that most perpetrators were male (81%) (Age UK, 2019). Age discrimination contributes to a lack of reliable data. Age UK’s report on prevalence was based on an analysis of the Crime Survey for England and Wales which, at the time, did not record incidents of domestic abuse in those over the age of 74. This recently changed and new data has shown that more than 400,000 (equivalent to 1 in 30) older people (aged 60+) experienced domestic abuse in England and Wales in the year ending March 2022 (Age UK, 2022). Adult safeguarding data which is reported by local authorities does not allow the identification of cases recorded as domestic abuse by age.

**Access to justice**:

The Crown Prosecution Service (CPS) states that domestic abuse perpetrated against older people should be responded to within the overall framework for violence against women and girls and human rights. The CPS recognise that a high percentage of crimes against older people involve some form of abuse and their guidance highlights the need to avoid assumptions about the victims’ age as well as providing information on gender based aspects of abuse and offending behaviours. However, if domestic abuse is not widely identified and recognised as an issue for the older population then access to justice may be limited.

**Access to information and examples of good practice**:

Awareness needs to be raised of domestic abuse as an issue for older people. Information should be made available and existing services need to ensure that their information is inclusive of older people (see, for example, Rape Crisis Tyneside and Northumberland’s support for women of all ages: <https://rctn.org.uk/get-help/support-for-older-women/>). Services can consider having an older person’s champion who can help to raise awareness about domestic abuse and create dialogue amongst older people and with services. Domestic abuse training should also include specific information about domestic abuse and the older population. Carthy & Taylor (2018) identified a need for collaboration between age-focused adult safeguarding services and domestic abuse services. Such a collaboration could help to address some of the issues identified above. Services need to be developed that explicitly address the needs of older people and tools that are used also need to be suitable for an older population. The 45+ Project developed by Eva Women’s Aid is an example of this and reflections from the project provided by Carthy & Taylor (2018) include the fact that older women often need longer term support, prefer an older support worker, and “reported a greater impact on their lives following successful 45+ intervention.” (p. 515). Overall, more work is needed to increase the recognition of domestic abuse as an issue in the older population and to develop responses that are tailored to the needs of older people.

(Word count: 1350).

**References**

Age UK. (2019). *No Age Limit: The Hidden Face of Domestic Abuse*. Age UK.

Age UK (2022). *New data on domestic abuse in older people.* Age UK. Available at: <https://www.ageuk.org.uk/discover/2022/december/new-data-on-domestic-abuse-in-older-people/>

Biggs, S., Manthorpe, J., Tinker, A., Doyle, M., & Erens, B. (2009). Mistreatment of older people in the United Kingdom: Findings from the first national prevalence study. *Journal of elder abuse & neglect*, *21*(1), 1-14.

Bisdee, D., Daly, T., & Price, D. (2012). Behind Closed Doors: Older Couples and the Gendered Management of Household Money. *Social Policy and Society*, *12*(1), 163-174. <https://doi.org/10.1017/s147474641200053x>

Carthy, N. L., & Taylor, R. (2018). Practitioner perspectives of domestic abuse and women over 45. *European Journal of Criminology*, *15*(4), 503-519. <https://doi.org/10.1177/1477370817749484>

Crown Prosecution Service (2020*) Older people: Prosecuting crimes against.* Accessed at<https://www.cps.gov.uk/legal-guidance/older-people-prosecuting-crimes-against>

Department of Health 2022. *Safeguarding Adults Returns*. NHS Digital [https://digital.nhs.uk/data-and-information/publications/statistical/safeguarding- adults/2021-22](https://digital.nhs.uk/data-and-information/publications/statistical/safeguarding-%20adults/2021-22)

Department of Health and Social Care (2016) *Care and support Statutory Guidance*

[https://www.gov.uk/government/publications/care-act-2014-part-1-factsheets/care-and- support-statutory-guidance-changes-in-march-2016](https://www.gov.uk/government/publications/care-act-2014-part-1-factsheets/care-and-%20%20%20%20%20%20%20%20support-statutory-guidance-changes-in-march-2016)

Care Act 2014: Elizabeth ll. London: The Stationery Office. <https://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

Domestic Abuse Crimes and Victims Act (2004) Elizabeth ll. London: The Stationery Office. <https://www.legislation.gov.uk/ukpga/2004/28/contents>

Domestic Abuse Act (2021) Elizabeth ll. London: The Stationery Office <https://www.legislation.gov.uk/ukpga/2021/17/contents/enacted>

Equality Act 2010: Elizabeth ll. London: The Stationery Office. <https://www.legislation.gov.uk/ukpga/2010/15/contents>

Equality Act 2006: Elizabeth ll. London: The Stationery Office. <https://www.legislation.gov.uk/ukpga/2006/3/contents>

Herklots, H.(2022) *Work programme 2022-2024.* Older People’s Commissioner for Wales.

<https://olderpeople.wales/wp-content/uploads/2022/06/Work-Programme-2022-24.pdf>

Lonbay, S.P. & Southall, C. (in review). Domestic abuse and older people: Key challenges and complexities.

Lundy, M., & Grossman, S. F. (2009). Domestic violence service users: A comparison of older

and younger women victims. *Journal of Family Violence*, *24*(5), 297-309.

Purdam, K., & Prattley, J. (2021). Financial debt amongst older women in the United Kingdom - shame, abuse, and resilience. *Ageing and Society*, *41*(8), 1810-1832.

McCausland, B., Knight, L., Page, L., & Trevillion, K. (2016). A systematic review of the

prevalence and odds of domestic abuse victimization among people with

dementia. *International Review of Psychiatry*, *28*(5), 475-484.

McGarry, J., Simpson, C., & Hinsliff-Smith, K. (2014). An exploration of service responses to

domestic abuse among older people: findings from one region of the UK. *16*, 202-212. <https://doi.org/10.1108/JAP-08-2013-0036>

O'Keefe, M. O., Hills, A., Doyle, M., McCreadie, C., Scholes, S., Constantine, R., Tinker, A.,

Manthorpe, J., Biggs, S., & Erens, B. (2007). *Uk Study of Abuse and Neglect of*

*Older People: Prevalence Survey Report*.

Safelives.(2016). *Safe Later Lives: Older people and domestic abuse.* Available at: <https://safelives.org.uk/sites/default/files/resources/Safe%20Later%20Lives%20-%20Older%20people%20and%20domestic%20abuse.pdf>

Wydall, S., Clarke, A., Williams, J., & Zerk, R. (2018). Domestic abuse and elder

abuse in Wales: A tale of two initiatives. *British Journal of Social Work*, *48*(4), 962-

981.