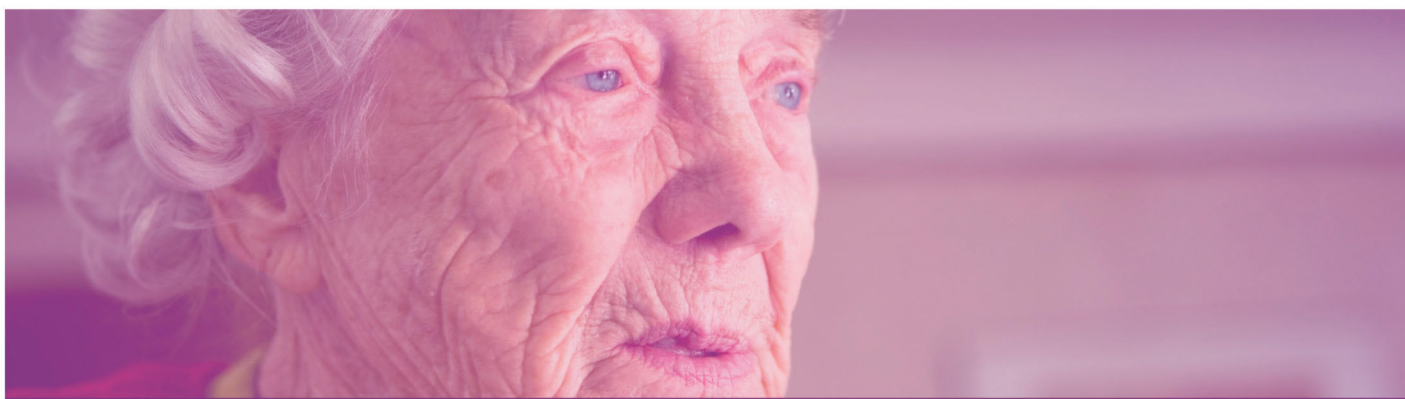




Building a UK-wide Picture of The Abuse of Older People:

DOMESTIC ABUSE OF OLDER PEOPLE.



Policy Brief

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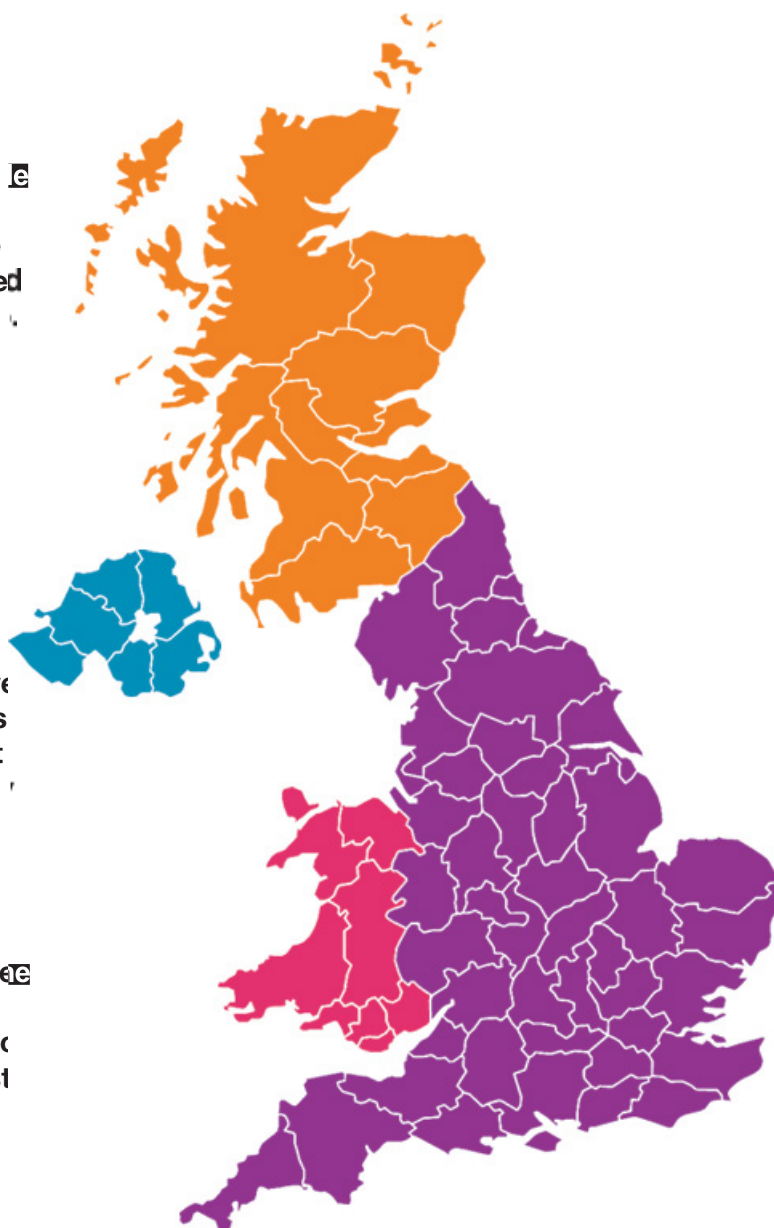
Key Issues:

Public awareness and professional understanding of domestic abuse of older people needs to be improved. Public information campaigns need to reinforce the reality that domestic abuse can affect people of all ages and the risk doesn't stop when someone reaches 65.

Legislation on domestic abuse has to take account of the particular needs and circumstances of older people.

In helping victims to escape their abusers, we also need to be realistic about older people's circumstances. We need to ensure specialist support services are available in the community to help victims of all ages.

Legislation in all parts of the UK must provide the same level of protection for older people -including powers of intervention for the police and local authorities - where a risk of domestic abuse is suspected.



Recommendations:

The statutory guidance accompanying the Westminster Domestic Abuse Act, which is intended to support all responding agencies to understand domestic abuse, must go further to highlight the varied experiences of older victims of domestic abuse.

Social Workers in England and Northern Ireland need additional powers to access suspected victims of abuse, where the possible perpetrator is denying access. This would bring England and Northern Ireland in line with Scotland and Wales.

We are calling for a review of The Domestic Abuse Act (Scotland) (2018), to broaden the definition of domestic abuse to include abuse perpetrated by a family member or carer.

Executive Summary:

Domestic abuse and the abuse of older people are coinciding concepts. An incident of domestic violence may constitute the abuse of an older person and vice-versa. With the sharp rise in reports of domestic abuse incidents apparently linked to the conditions of regional and national lockdowns imposed by national or regional governments or local authorities following the COVID-19 pandemic of 2019, 2020, and 2021, Hourglass has worked alongside the domestic abuse sector to bring the issue of domestic abuse of older people to the fore.

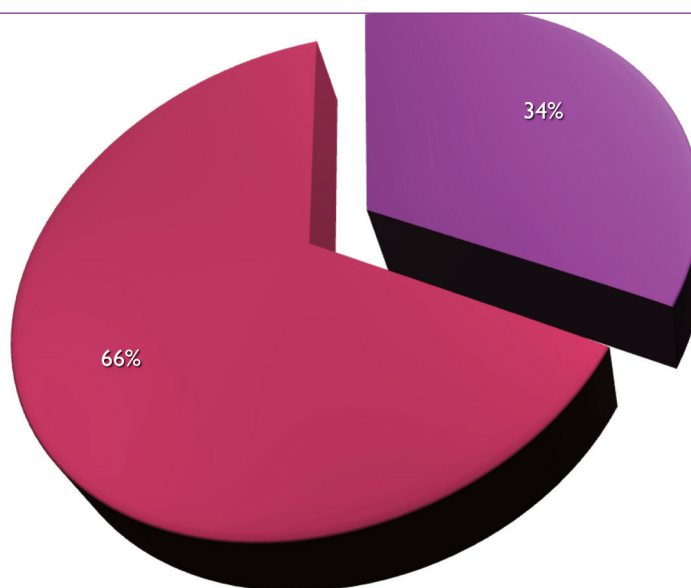
There is an ongoing need to distinguishing domestic abuse and the divergent dynamics and additional risks associated with the abuse of older people. The new Domestic Abuse Act 2021 creates the first statutory definition of domestic abuse that includes family members and a paid or unpaid carer to a disabled person as relationships that could legally constitute domestic abuse. This wider definition has the potential to strengthen the protective framework for older people to prevent abuse and increase access to justice. To achieve this public awareness and professional understanding of domestic abuse of older people needs to be improved. This will dismantle barriers to disclosure and barriers to and insufficiency of support.

Scope of the Problem:

The passage of domestic abuse legislation through Westminster, as well as the exacerbation of domestic abuse incidents linked to ongoing COVID-19 public health restrictions and regulations, have put a spotlight on domestic abuse. However, the experiences of older people are still side-lined. Hourglass knows that abuse does not stop in older age; older people often experience abuse differently and that older people experience barriers in accessing domestic abuse support and services. Key barriers to address include: a low level of public awareness of behaviours and prevalence of domestic abuse of older people; inadequate support solutions for older people, both older women and older men; and a corresponding perception amongst older people that there is no alternative to abuse.

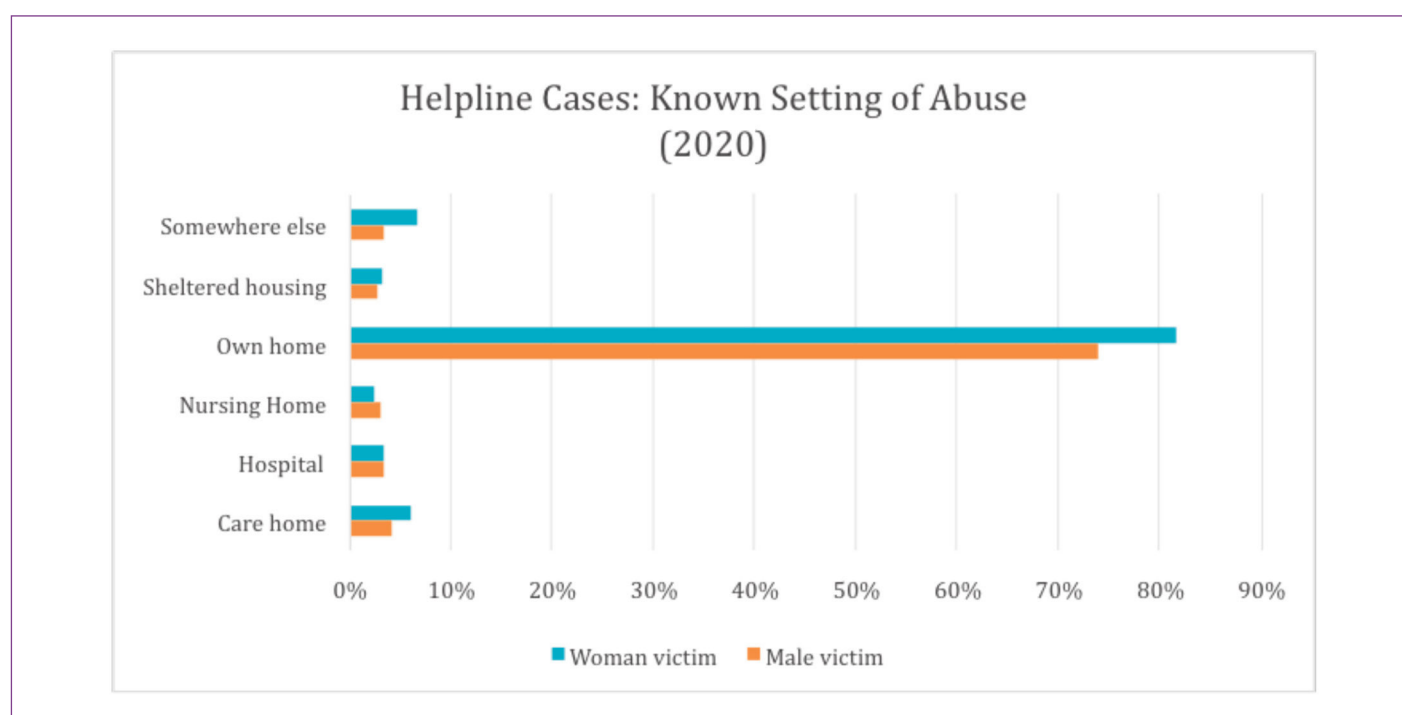
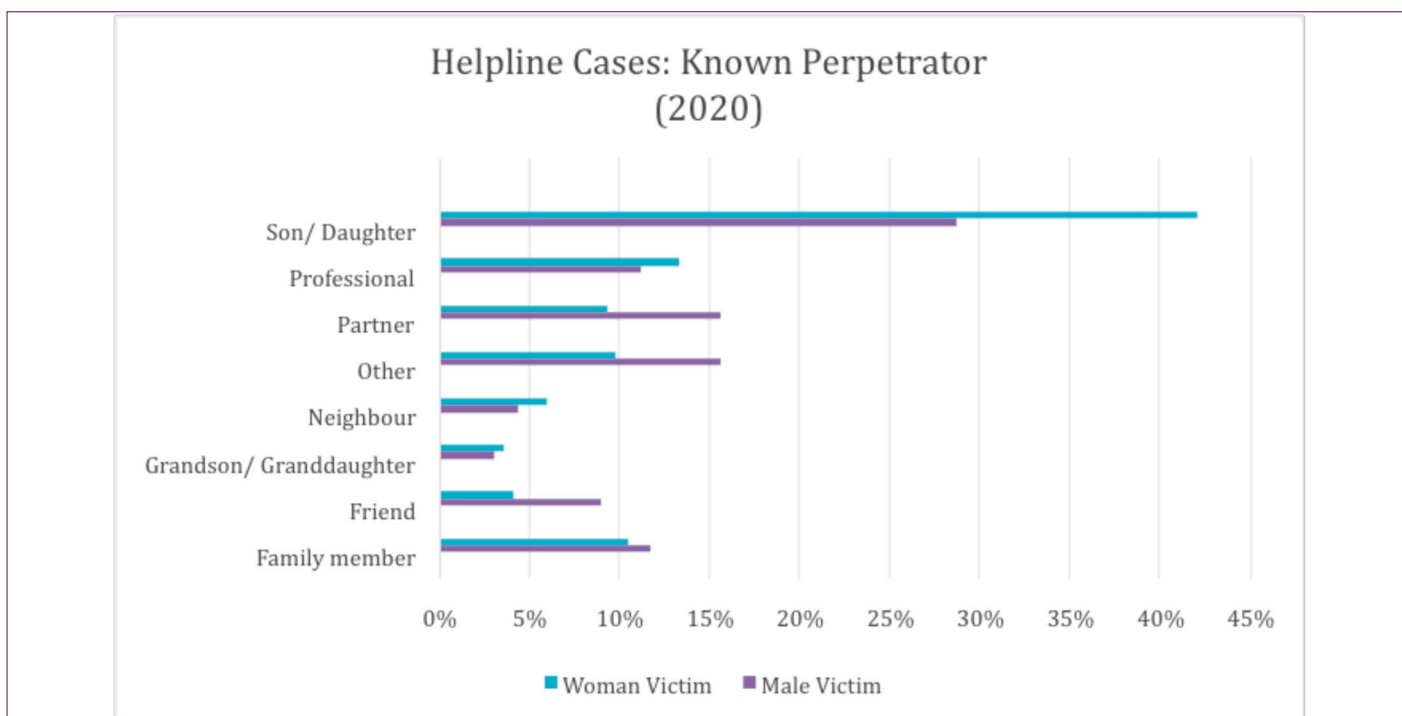
Hourglass polling in 2020 demonstrated the limits on public awareness. In June 2020, 34.4% of respondents in our survey did not consider “domestic abuse or domestic violence directed towards an older person” as a

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This is perhaps most accurately explained by the strong association demonstrated by respondents of the abuse of older people and the care home - rather than domestic - setting. In the same survey, the most common perpetrator of abuse and location assumed were “care workers in a care home”, with just over half of UK wide respondents ticking this option.² There is a corresponding misconception that domestic abuse occurs only between intimate partners. Together these compound a poor understanding of the nature of abuse in older age. Data from the Hourglass Helpline from April-September (2020) showed that 12% of calls pertained to abuse by a partner while 38% concerned a son/daughter.³ We consistently find that the vast majority of abuse is perpetrated by family members in the older person’s own home.



There is also legislative difference between the four nations to contend with, a factor which compounds different conceptions of domestic abuse. Scotland was the first national legislature to pass a Domestic Abuse Act (Scotland) (2018), the definition of abuse includes relationships between a partner or ex-partner. In early 2021, the Northern Ireland Assembly passed their Domestic Abuse and Civil Proceeding Act, the definition of abuse in Northern Ireland now includes partners, ex-partners and relatives. The Domestic Abuse Act (England and Wales) includes the relationship between a carer and a disabled person under the definition of domestic abuse. The legal definition of domestic abuse is not definitive and Hourglass, along with the domestic abuse sector will support victims who may not fall within these definitions. However, it is notable that these variations in definition might negatively impact an already weak public awareness of domestic abuse in later life.

An on-going hurdle in responding to abuse of older people is the limited data available on the prevalence of domestic abuse in older age. The Crime Survey for England and Wales (CSEW) found about 180,000 women aged 60 to 74 were victims of domestic abuse in 2019-2020, and about 98,000 men during the same period. Historically the CSEW has had an upper limit of 59 years of age for data collection on domestic abuse. This was raised to 74 in 2017 and it was recently announced that next year the national data collection on domestic abuse will, for the first time, include the 75s and over. However, the lack of historic data and the current suspension of 'sensitive questions' in the CSEW poses an ongoing problem in understanding crimes and abuse perpetrated against older people.

Older people face specific barriers in the domestic abuse support landscape. Where alternative accommodation options are consistently inappropriate for the different needs of many older people compared to younger domestic abuse victim-survivors. Shelters do not have facilities to effectively care for those with underlying health needs, disabilities or physical or cognitive differences associated with old age. Research conducted by domestic abuse advocacy group Safelives in 2017 found 48% of domestic abuse victims over 60 have a disability.⁴ This is now of even greater concern for older people who require an environment that can provide adequate protection from COVID-19. Put simply, the framework that has underpinned the domestic abuse sector for some years – developing routes to empower victims to leave an abusive environment – continues to let down older people. The outcome of these two barriers faced by older victims is a sense of inevitability. A sense that older age necessarily means a lower level of autonomy, a higher degree of dependence and therefore a view that abusive behaviours cannot be challenged effectively.

Claire's Story:

Claire called our Helpline regarding her mother, 91, who is the full-time carer for her father. Her mother suffers abuse perpetrated by her father, manifesting as aggression, verbal abuse and financial control. The father had received a care assessment around 18 months before Claire called us but the assessor was satisfied by her father's claim that he could live independently and no external care was put in place. The situation has only become worse and Claire's mother told her she is frightened about what will happen to her.*

We signposted Claire to a local telephone befriending service, a carers support group and a mental health helpline for her own support. We were able to explain and advise on how to raise an Adult Safeguarding alert with the local authority concerning her mother and how to request a new care assessment. We said her mum was very welcome to call the Helpline and speak to a female information officer, however as we often hear from callers, Claire felt initially her mum wanted practical support before thinking about talking therapies or women's centres for domestic abuse.

**The details of this case are anonymised.*

What Hourglass is doing:

Hourglass has worked to influence and inform the Home Office regarding their two on-going domestic abuse projects: the digital communication campaign ‘#YouAreNotAlone’; and the roll-out of the ‘Ask for ANI’ pharmacy scheme, meeting with and providing evidence to Home Office representatives on both schemes. We are keen to see the monitoring and evaluation of these campaigns look closely at their impact and engagement with the older community.

Hourglass has worked closely on the passage of the Domestic Abuse Act through Westminster, making the case for a broadening of the definition to include carers; putting refuge and community services on an equal footing; and legislating to include coercive and controlling behaviour perpetrated by someone who does not reside with the victim.

However, our main focus was on two amendments that sought to directly legislate to protect older people: a new duty to report suspected abuse when carrying out a financial assessment for a care plan; and a new power of entry for registered social workers where abuse is suspected (a power that already exists in Scotland and Wales).

The first would have created a duty on local authorities to report suspected abuse, such that the local authority must ensure that, where any of its employees suspects in the course of carrying out a financial assessment for adult social care that a person is the victim of domestic abuse, the employee reports the suspected abuse to a relevant social worker or the police. Hourglass knows the manifestations of abuse are often multiple and interacting. Financial abuse has typically been the most common abuse reported to our Helpline (40% of calls in 2019) but rarely occurs without corresponding physical and/or psychological abuse. The financial assessment is a vital access point where abuse can be identified. This amendment aimed to reinforce existing safeguards practiced by the Local Authority and the duties of care detailed in The Care Act (2014). For older people, for whom domestic abuse is often viewed solely through a health and social care lens, this measure could join up the delivery of justice to survivors.

The second would create a power of entry for trained social workers where abuse is suspected but they are being denied access to a private interview. These measures are endorsed by practitioners. In 2017, Kings College London’s Social Care Workforce Research Unit undertook research that showed over half of practitioners interviewed were in favour. Practitioners identified the benefits of powers of entry,⁵ for example: it could prevent cases progressing to a point that life or limb powers were needed; and might generally speed up the process of safeguarding enquiries; awareness that social workers have this power might persuade family members or other individuals obstructing access to allow a social worker to talk to the adult at risk without having to get a court order at all. The power of entry was introduced in Scotland in 2008, and similar powers came into force in Wales in 2016. Hourglass has recommended they are introduced in Northern Ireland under the proposed Adult Protection Bill.

The Government at Report Stage in the House of Lords stated they did not support the above amendments. However, the Minister stated, ‘The Government are committed to preventing and reducing the risk of harm to people in known or suspected vulnerable situations’⁶ and identified work currently on-going conducted by the Chief Social Worker for Adults, who is developing a practice guide to support adult safeguarding teams within local authorities, to ensure a consistent and person-centred statutory response and quality safeguarding of adults with care and support needs. The Minister also drew attention to the statutory guidance, ‘The draft guidance recognises that older people can be victims of domestic abuse and that they may experience this abuse differently’.⁷ This response is far from convincing and Hourglass is keen to work with both the Home Office and the Department for Health and Social Care to improve outcomes for older people in domestic abuse and adult safeguarding responses.

Recommendations:

The statutory guidance accompanying the Westminster Domestic Abuse Act, which is intended to support all responding agencies to understand domestic abuse, must go further to highlight the varied experiences of older victims of domestic abuse.

Social Workers in England and Northern Ireland need additional powers to access suspected victims of abuse, where the possible perpetrator is denying access. This would bring England and Northern Ireland in line with Scotland and Wales.

We are calling for a review of The Domestic Abuse Act (Scotland) (2018), to broaden the definition of domestic abuse to include abuse perpetrated by a family member or carer.

Consulted or recommended resources

¹ Hourglass “Growing Old in Britain’ and ‘Growing Old under Lockdown” (2020).

² Hourglass “Growing Old in Britain’ and ‘Growing Old under Lockdown” (2020).

³ Hourglass Helpline Data (2020)

⁴ Safelives “Disabled Survivors Too: Disabled people and domestic abuse.” (2017)

⁵ Stevens, M. J., Martineau, S. J., Norrie, C. M., & Manthorpe, J. (2017). Helping or Hindering in Adult Safeguarding: an investigation of practice. Social Care Workforce Research Unit, King’s College London

⁶ Hansard, Contribution by Lord Parkinson of Whitley Bay, column 116

<https://hansard.parliament.uk/Lords/2021-03-15/debates/2DB5363F-1D41-4E5A-B2E2-3CA3A2D5A28B/DomesticAbuseBill#contribution-81AB8AF7-DED7-4803-A12D-EFC94A93AC8B>

⁷ Hansard, Contribution by Lord Parkinson of Whitley Bay, column 116

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Our helpline is entirely confidential and free to call from a landline or mobile, and the number will not appear on your phone bill.

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