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Speech by Adam Graycar and Marianne James, Australian Institute of Criminology:

"Crime and older people in Australia"

at the joint conference of AASW, IFSW, APASWE, AASWWE, 'Promoting inclusion - redressing exclusion: the social work challenge', Sheraton Brisbane Hotel, 26-29 September 1999

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AUSTRALIAN INSTITUTE OF CRIMINOLOGY



Crime and Older People in Australia

Promoting Inclusion – Redressing Exclusion
The Social Work Challenge

Joint Conference AASW IFSW APASWE AASWWE

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When older people are victims of crime, the community and those close to the victims are quite properly outraged. Few issues generate the intensity of community outrage as the news that an older person has been the victim of a criminal attack. In general older people are far less at risk of criminal victimisation than others, though this is not universally so.

Older people, like all others, are at risk from four main sources:

- Family members, friends and acquaintances, who may assault or steal from them
- Strangers who may victimise them
- Commercial organisations or “white collar” criminals who would defraud them
- Carers with whom they are in a “duty of care” relationship and who may neglect or abuse them

3 issues shape this paper

- crime and abuse
- fear
- risk assessment and strategic partnership

I. *Crime and abuse*

Predatory Crime

The broad pattern of victimisation in Australia is consistent with findings throughout Western countries, that is older people are far less likely to be victims of crime than other age groups in all types of recorded criminal incidents. The results from crime victim surveys indicate a similar pattern. One point which is always worth noting is that crime is not uniformly distributed across geographic areas and that a minority of victims experience the majority of crime (*see for instance* Pease 1999).

- **Homicide.** Homicide is an extremely rare event in Australia. The National Homicide Monitoring Program which is situated at the Australian Institute of Criminology, showed that between 1989 and 1998, there were 3044 victims of homicide, that is on average around 330 people per year. Males between 18 and 49 were most at risk with a rate of about 9 per 100,000 of the population. The risk of homicide for older people is low at 0.5 per 100,000 population or 1 in 14 of all incidents. Overall there were 212 older victims during that period - an average of 24 per year. However, when a homicide resulted from another crime (most likely a robbery) the likelihood of it happening to an older person was double that of it happening to a younger person. Of all homicides 13 per cent occurred as a result of another crime, while for older victims, 28 per cent of homicide incidents occurred as a result of another crime.
- **Assault.** All reports and surveys show that assault decreases quite significantly by age. The ABS Crime and Safety Survey 1998 found that those over 65 accounted for only 0.3 per cent of all incidents. It found that 45 per cent of assault victims experienced two or more assaults, representing a little over three-quarters of all incidents and that half of the female victims were assaulted at home, compared with 18 per cent of males. The highest rates for physical assault for both males and females were in the 15-24 years age group.

- **Sexual Assault.** The ABS Crime and Safety Survey 1998 found that women between the ages of 18 and 19 were by far, the most victimised of any group. This decreased quite markedly for other age groups to the point of virtual non-existence at age 65.
- **Robbery.** Robbery is one crime where police reports show the risk for older women is greater than their population share. The table below shows 13.7 per cent of female victims of unarmed robbery were over the age of 65. This shows a shameful streak in Australian society as predators exploit those who they think are easy marks. Women aged 65 years were 2½ times as likely as men in that age group to be robbed. Notwithstanding this, their victimisation rate is lower than for any other age group except children under 14.
- **Handbag snatching** is not well documented. A 1987 study by the Bureau of Crime Statistics in New South Wales showed that a higher proportion of older women were victims of handbag snatching than other age groups. In the 42 incidents of bag snatching examined, half of the victims were aged over 55, and nearly all were females. None involved the use of a weapon, but most victims were pushed from behind (Bureau of Crime Statistics 1987).
- **Break and Enter** . The ABS Crime and Safety Survey 1998 found that households with persons aged 55 years and over had a lower risk of break-in victimisation compared with other households.
- **Violence Against Women.** The Women's Safety survey conducted in 1996 (ABS 1996) confirms the low levels of violence experienced by older women, with 1.2 per cent of those surveyed in this age-group reporting that they had experienced violence in the 12 months preceding the survey. This compared with 19 per cent of women aged between 18 and 24.

Comparisons with the United States and the UK show similar levels of low victimisation for older people. In fact, in the United States those aged between 16 and 24 were 28 times more likely to be victims of all crimes of violence (robbery, assault, and sexual assault) than were people aged 65 years and older.

Much of our data come from police sources, and we know that many crimes are not reported to police. There is notorious under-reporting of assault and sexual assault and the 1998 ABS Crime and Safety Survey revealed that only 28 per cent of assault victims and 33 per cent of sexual assault victims told the police about the most recent incident (ABS Crime and Safety Survey, 1999 p5). With regard to robbery half of the victims told the police (though the Crime and Safety Survey lists victims of robbery aged 65 years and over). Women were more likely to tell police than men (59 per cent of females compared to 42 per cent of males). The rate of reporting to police generally increased with age, with 70 per cent of people aged 65 and over reporting an incident of robbery to police (ABS Crime and Safety Survey, 1999 p 35). This may account for the higher rate of robbery recorded for older women, but it is clear the incidence really is proportionally higher.

Economic Crime

The crimes listed above, homicide, assault, robbery, burglary by an unknown person are perceived by many as typical of the crimes perpetrated against older people. The Australian Institute of Criminology will be publishing a paper in October 1999 on elderly people as victims of fraud (Smith 1999). In testimony before the US Congress on August 4 1999 Susan Herman provided data reporting that 20% of American elderly have been victims of some kind of fraud. We do not have comparable Australian data, but it can be assumed that the prevalence rate is similar. Many elderly victims are too embarrassed to report. Sometimes the perpetrator is a loved one or a caregiver, and the victim does not want to get into trouble.

After publishing a paper on elder abuse in May 1999 (Kinnear and Graycar 1999) the Australian Institute of Criminology received a number of calls from older people and relatives recounting incidents of abuse of enduring power of attorney. Writing in the FBI Law Enforcement Bulletin in 1994, McRae Mathis claimed that "powers of attorney may be the single most abused legal document in the American judicial system" (p2). The mismanagement of income and assets can occur when individuals are given legal guardianship or power of attorney over a victim's assets.

In Australia there is no accountability requirement for people who exercise power of attorney. The Enduring Power of Attorney is a legal document in which the principal concerned, who is of a sound mind (confirmed in a medical certificate), appoints an individual to handle his/her business and legal affairs. This individual is expected to act in a prudent and law-abiding manner. If they step outside the guidelines imposed by the public trustee (e.g. misappropriating funds, negligence), the law has the power to bring them to account. It is possible for a predator to pay the bills as required and provide basic expenditure, and appropriate the rest of the assets. However, unless someone becomes aware that there is a problem and alerts the Public Trustee, there is no accountability, unless it happens to be picked up somewhere along the line. Something has to go wrong first, and be noticed, and complained about and even then recovery is almost impossible.

This contrasts with the granting of probate and the strict accountability in distributing assets specified in a will following a death. The State has much stricter provisions for accountability when dealing with the dead than when dealing with the living.

New technologies pose new risks for older Australians. Fraud committed by telephone and via the internet are part of everyday life in the USA, but we all know that we live in a global village. Slick telephone contests in which there are no winners, investment schemes, opportunities to purchase goods and services of dubious value and participation in get-rich quick schemes are only the tip of a massive electronic fraud iceberg.

Noting the actuality of robbery on the street, and over the phone or computer, it is realistic to say that older people are more likely to be mugged electronically than mugged on the street!

Financial victimisation has a devastating effect on older people. Not only can a comfortable lifestyle collapse, they do not have the time or opportunity for financial recovery, and a blow to financial security is often a permanent and life threatening

setback, characterised by fear, lack of trust and the onset, often of acute and chronic anxiety.

Duty of Care and Relationship Crime

When older people require support and assistance from families or professional service providers because of frailty and dependence, their vulnerability to victimisation is increased. An Australian study (Kurrle and Sadler 1992) estimated that 4.6 per cent of older people are victims of physical, sexual or financial abuse perpetrated mostly by family members and those who are in a duty of care relationship with the victim. This is consistent with estimates in comparable countries.

This type of behaviour is often referred to as elder abuse and can occur both within private domestic settings and residential care facilities. Some of the behaviours included in elder abuse are not recognised as such by the criminal justice system and really therefore only refer to categories described by health and welfare professionals.

Key findings:

- Female elders are abused at a higher rate than males, after accounting for their larger proportion in their ageing population.
- The oldest elders (80 and over) are abused and neglected at two to three times the proportion of the elderly population.
- In 85 per cent of the elder abuse and neglect incidents with a known perpetrator, the perpetrator is a family member, and two-thirds of the perpetrators are adult children or spouses. 47.3% were adult children and 19.3% were spouses of the victims. Other relatives comprised 8.8% of abusers while grandchildren accounted for 8.6%

With roughly 1 in 25 elders likely to suffer from abuse it is imperative to ensure adequate training for social workers and for police. Both are in the first line of defence for victims of abuse and neglect.

While identifying risk does not always ensure a preventive and proactive response, the South Australian Aged Rights Advocacy Service has identified risk factors for both the older person and the abuser (Aged Rights Advocacy Service 1998).

For the **abused** the risk factors were:

- Isolation of the older person
- Ongoing family conflict
- Dependency - physical and/or emotional and/or financial
- Lack of services

For the **abuser** the risk factors were:

- Ongoing family conflict
- Emotional problems
- Low income
- Substance/ alcohol abuse
- Care giving stress

II Fear of Crime

It has long been asserted that despite the low actual victimisation rates, older people are nevertheless disproportionately fearful of crime (Hale 1996). So common is this perception that it has often been argued that 'fear of crime' is a more pressing policy issue for older people than crime itself (Hough and Mayhew 1983).

This has been challenged recently by a study which found older people were more likely to be afraid for their grandchildren than for themselves (Tulloch *et al* 1998). The ABS Crime and Safety Survey 1998 revealed that persons aged 65 years and over were less likely to perceive crime as a problem for them with almost 4 out of 5 saying that there were no crime or public nuisance problems in their neighbourhood. This compared with about one-quarter of those in the age ranges between 15 and 55.

Fear of crime has the potential to be a social problem of large proportions – if people believe they are in danger they will change their lifestyles accordingly (Gilbert and Zdenkowski 1997). It is essential that social workers and law enforcement officers understand the continuum of fear that may confront older people.

Five levels of fear can be identified, and all require different responses.

1. **Apathy** is the most common - people don't think it can happen to them, believe in immortality and invincibility, and take no precautions
2. **Apprehension** may stimulate individuals to take some precautions, and participate in community activities.
3. **Alarm** is the emotion when danger is imminent. To beat up risk as we see from time to time creates alarm when it is unwarranted.
4. **Torment** can involve the development of unwarranted fear based on sensationalising media reports of violent crimes, induce torment, and divert people from more realistic risks of financial fraud. It can also induce political action and mobilisation.
5. **Terror** is the most damaging level of fear. It can immobilise older people who may barricade themselves in their homes, and cut ties with the outside world, and suffer considerable neglect through not shopping for food, or seeking health care when required. Police and social workers have reported cases of people living in terror, and rational argument is not a persuasive mechanism to fix the situation.

III Risk Assessment and Strategic Partnership

This paper has identified two categories of victimisation of older people - those victimised by people that they do not know, and those victimised by people they do know. Both are relatively rare occurrences, though both do happen, and risk assessment and preventive measures must be placed on the policy and practice agenda.

Both can be monumentally devastating, though the fear of the unknown can play great havoc with people's lives. Victimisation by strangers covers most predatory crime, and

some economic crime, while victimisation by family, friends and carers covers duty of care issues, as well as some economic crime.

Depending on the assessment of risk, responses to predatory crime include the spectrum of traditional crime prevention measures. These include the development and communication of accurate and realistic information, basic situational prevention measures, risk assessment, community audits, crime prevention through environmental design (CPTED), and a range of community development initiatives that have been canvassed in the literature.

It is in these areas that law enforcement and social work can work well together - both dispensing doses of reality and modest support. The dynamic is for the development of crime prevention partnerships in which the professional activists understand our changing demographics as well as the continuum of fear, the means of communicating across the spectrum, and the means of building community cohesion in the face of significant and monumental change.

The dynamic is very different in the case of elder abuse, where the abuse is often challenged as part of a family dynamic rather than a criminal activity. Issues are disputed, and legal interventions are sometimes assumed to be an intrusion into the dynamics of families. There are significant lessons to be learned from child protection, where the same arguments were canvassed two decades ago.

Three final points to note:

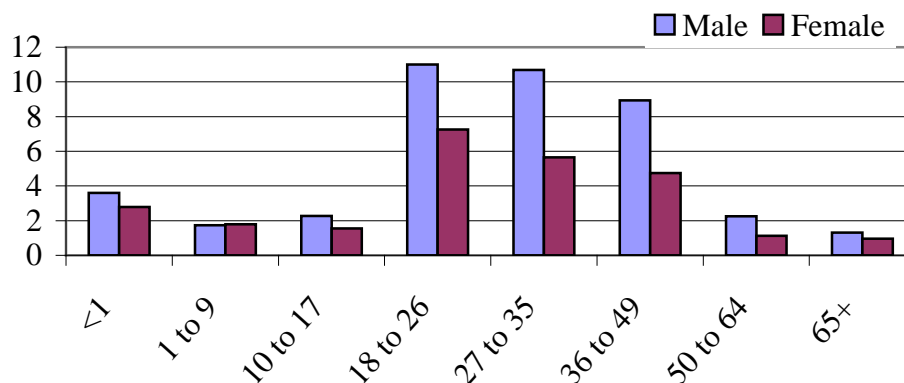
- The actual risks of crime
- The impact of crime on the victim
- Consequences of fear on both the victim, and the community as a whole

As demonstrated, the **risks** of predatory crime are lower than for the population as a whole, except for older women who become victims of unarmed robbery. The routine activity patterns of older people place them at very low risk of victimisation by strangers (they rarely go to entertainment venues with lots of sex, drugs and rock 'n roll).

With regard to the **impact** there are significant economic, physical and emotional/psychological impacts following victimisation by a stranger. The preventive role of police has passed, and the social worker's role is in victim support, restoration, and rehabilitation.

With regard to **fear**, the jury is still out as to where on the fear continuum most elders would find themselves, and there are challenges for crime prevention officials and those doing community work to help build an understanding of a safe and supportive climate.

Australia, Homicide 1 July 1989 – 30 June 1998: Rate per 100,000 Relevant Population, Gender and Age Group



AUSTRALIA, Offences Reported to Police 1998

	Males		Females		Persons	
	N	%	N	%	N	%
Assault	1056	1.4	602	1.1	1163	1.3
Sexual Assault	7	0.3	69	0.6	76	0.5
Armed Robbery	105	2.5	71	3.6	176	2.8
Unarmed Robbery	204	2.9	640	13.7	845	7.2

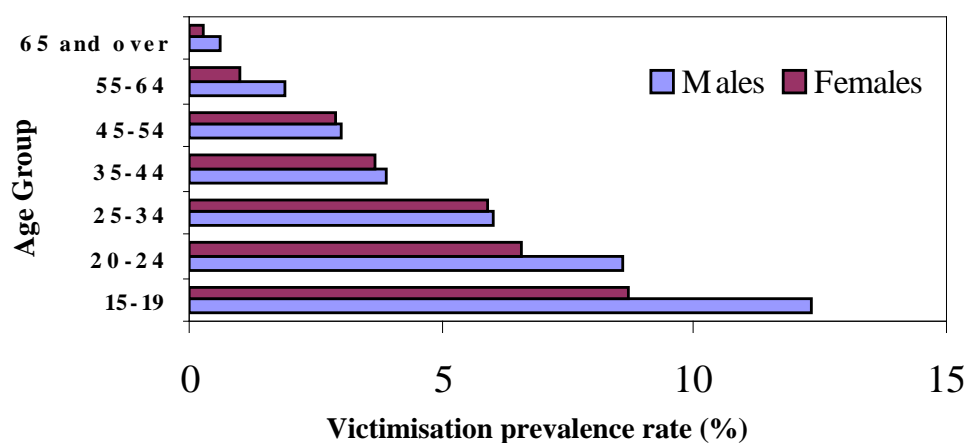
N refers to the number of victims aged 65 and over.

% refers to the proportion of victims aged 65 and over as a proportion of all reported victims of that offence.

Note: There are approximately 2.3 million people in Australia aged 65 and over and they comprise 12% of the total population.

Source: Calculated from Australian Bureau of Statistics, *Recorded Crime, Canberra, 1999*

Victims of Assault in the Last Twelve Months, Age and Sex



Source: ABS Crime and Safety, April 1998