

Victim Offender Relationship in Crimes against Elderly

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Abstract

The cases of crimes against elderly have been increasing very fast in India and need attention to prevent this problem. Whatever cases are reported in print media, it does not depict the real scenario of entire problem. Since, this is a serious problem affecting the whole society and need social and Police actions to live the elderly fear free. This research work has used the method of content analysis to gain insight into the media reports of the elderly victim of crime. This paper attempts to know the victim offender relationship and different types of crimes against the elderly. Result shows that male victims are more in number than female victims. Nearly 1/4th of the elderly have been found the victims of crime by their own family members. The incidents of murder (53.26%) are higher than other crimes and prevalent in both urban and rural areas. The trend of nuclear families is one of the major reasons of increasing crime against elderly in India.

Introduction

The trend of an ageing population has been witnessed in the entire world. Being a phenomenon that is universal and irreversible, ageing is a matter of concern to both the developed nations. The process which first emerged in the developed world is fast gaining recognition in the developing countries of Asia, Africa and Latin America as well. In such a context, understanding the phenomenon of ageing, as it occurs the world over, assumes utmost significance. (Batra S. and N. Agnimitra, 2010). Population ageing has become a challenge for many developing countries as their socio-economic development has not kept pace with the rapidly increasing elderly population. However, many nations are not equipped with social and economical ability to cushion their elderly people to lead a dignified and healthy life. In some developing countries majority of the elders are without any economical security, savings, and poor health. They had to look for economic and social support from their children, friends and communities. For many, old age is not a phase of life worth looking forward to, especially for elderly women (Yesudian, P.P. and Sing D.P.2009).

It must be borne in mind that the population aged 60 years and above is not a homogenous group. Demographers often classify this group into three distinct age categories (the young old, comprising persons in the age category 60-70 years, the old-old, comprising those in the age category 70-79 years and the very old, who are 80 years and above), depending on their expected capacity for active ageing. The needs of each of these groups of older persons are different. Based on the variables in needs, the requirement of health care, welfare services and other support infrastructure also shown variation.(Das, P.K.,2009).

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India will soon become home to the second largest number of senior citizens in the world (The Times of India, September 19, 2012). India remained undecided on a United Nations sponsored international legal instrument to protect the 'rights' and 'dignity' of the older population. The older people are rapidly rising in India. Due to better health facilities, the number of older people in India will rise dramatically in the next four decades. According to Age-well foundation the share of India's population aged 60 and older is projected to climb from around 100 million in 2010 to around 323 million by 2050 (Hindustan Times, December 31, 2012). As of now, the average life expectancy rate in India is 66-80 years. It was just 37 when India gained independence. India washes hands off rights for the elderly. 75% of the elderly live in rural areas of which over 48% are women of the 48%, 55% are widows. A landmark UN report on 'Aging in the 21st century', says that India is at centenarians. But this number is to be between 1.51 lakh and 6.2 lakh by 2050. By 2050, for the first time there will be more old people than children under 15 (The Times of India Oct.2, 2012).

As the population of the aged people increases, their problems also multiply. It is not difficult to come across reports of the aged people being attacked, harassed and isolated by anti-social elements, neighbours, domestic servants, relatives and even their own family members. Family is the primary care giving unit for the aged person and a major proportion of the aged are dependent on family for their care. Several researches have come to the conclusion that the physical impairments of the elderly and subsequent dependence on the care taker make them vulnerable to acts of abuse, neglect and violence (O Malley et. al; 1979, Hickey and Douglass; 1981, Steinmetz; 1983, Patel M; 1994).

Older people and their families worry about crime for many reasons. Though the elderly are likely to be victims of crime than teenagers and young adults, the number of crimes against older people becomes crime victims. The elderly are targets for robbery, theft, burglary, murder. Older people are more likely than younger victims to face attackers are strangers. They are more often attacked at or near their homes. It is not only strangers who hurt older people. Sometimes family members, friends, or caretakers may physically, mentally, or financially abuse older people through neglect, violence or by stealing money or property. (www.familymanagement.com)

In our society, unfortunately, the elderly have become a far too easy target for criminals and abusers of the world. Whether living alone or going about daily lives the elderly are viewed as helpless and easy victims, a shameful way for them to have to live their lives. It seems that the elderly must barricade themselves behind locked doors, or become an instant victim just by going out to the grocery store or even walking in their own yard or neighborhood (www.essortment.com).

Elderly are targeted for grievous hurt, robbery, murder and even sexual assault. They are often attacked at or near their homes by their children, relatives and miscreants. In view of the literature quoted above, there should have been active concern for preventive and punitive procedures. Let us examine, now, how for the media, especially the print media is sincere to the task.

Constitutional and Legal Provisions for Elderly

In Constitution of India, entry 24 in list III of Schedule VII deals with the "Welfare of Labor, including conditions of work, provident funds, liability for workmen's compensation, old age pension benefits. Section 125 of Criminal procedure code, 1973 makes it incumbent for a person having sufficient means to maintain his father or mother who are unable to maintain themselves. The Hindu adoption and maintenance act, 1956 too recognizes the obligation of a person to maintain his or her aged or infirm parents, section 30 (30).

LEGAL PROVISIONS (Act)

- Hindu Adoption and Maintenance Act, 1956- Maintenance of aged and infirm parents obligatory.
- Criminal Procedure code Section 127, 1973 – maintenance of infirm and aged
- Protection of domestic violence Act -2005

- The Widows Protection and Maintenance Act-2006
- Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

VICTIM OFFENDER RELATIONSHIP

Victim offender relationship is one of the most important notions in victimology. Mendelsohn calls the victim and his offender the penal couple. For Schafer (1976) victim offender relationships may contain the origin of victimization. “The marital status of the offender and that of the victim – or the fact that one person is the spouse or a friend or an acquaintance or just a stranger (third person) – may contain the seeds of crime. Married persons of both sexes are more often victims, than persons in any other marital status.

It is found by the president’s commission on crime that primary group relationships seem more important in crime against person, especially in homicide cases. It was also found that 80 per cent of the murder and aggravated assault victims belonged to primary group relationships. Wolfgang (1958) states that when a man is killed by a woman “he was most likely to be killed by his wife” and it is also found that a woman was more likely than man to kill her mate.

A shared responsibility and victim precipitation

The victimizer and the victim act on each other directly by sharing a common place, or indirectly by symbolic relationship. Hence, the victim can be viewed as an independent variable by examining the conditions which predispose certain kinds of persons to victimisation. The concept of “victim precipitation” deals with the case in which the victim has had something to do with his own victimisation. Hence, “the victim-precipitated cases are those in which the victim was the first to show and use a deadly weapon, to strike a blow in an altercation – in short, the first to commence the interplay or resort to physical violence” (Wolfgang, 1974).The provocation of victim has a definite part in the etiology of victimization, either by inciting the criminal to commit it by creating or fostering a situation likely to lead to victimization. This type of victim can provoke the crime by his own action. According to Fooner (as cited in Silverman, 1974) feels that if “a person has not acted with reasonable self protective behavior in handling his money, jewellery, or others valuable and has become the victim of robbery, he cannot be considered an innocent victim. He has created, “temptation – opportunity” situation, giving the criminal incentive and help.”

For Schafer (1968) victims are essential for crime, so directly or indirectly all victims are somewhat responsible for victimization. Contrary to this, Silverman (1974) feels that it is not logical to think that “we are all somewhat responsible for our own victimization simply because we exist.”The role of the victim may be of a varying nature. In different ways a victim can contribute to the victimization. In a study conducted by Separovic (1974), the statistical profile of the murder-victim relationship, the victim precipitated one out of four homicide cases. The findings of Wolfgang’s studies on homicide are similar to the result of Separovic’s study.

Victim offender relationship in murder case

Marvin Wolfgang’s 1958 study of homicides in Philadelphia revealed that approximately 25% of all homicides were between family members and that women were far more likely than men to be both offenders and victims in this category than in any other. Males were more likely to be killed by friends and strangers than by their family members, but when a male was killed by a female, the offender was most likely to be his spouse. Other researchers have emphasized qualitative differences in the pattern of homicide within the victim-offender relationship (Wolfgang, M.E.). The work of Robert Nash Parker and Dwayne Smith represented the first systematic research that focused on differentiating homicide according to the victim-offender relationship. Their work used two classifications of homicide: primary and non-primary. Primary homicides are the most frequent and involve family members, friends, and acquaintances, and they are usually characterized as expressive crimes because they often result from

interpersonal hostility, based on jealousy, revenge, romantic triangles, and minor disagreements. Non-primary homicides involve victims and offenders who have no prior relationship and usually occur in the course of another crime such as robbery; these are referred to as instrumental crimes because they involve some degree of premeditation by the offender and are less likely to be precipitated by the victim (1979).

Further attention to the heterogeneous nature of homicide is found in the work of K.R. Williams and R.L. Flewelling, who disaggregated homicide rates according to two criteria: (1) the nature of the circumstances surrounding the homicide, which included whether there was some indicator of a fight or argument precipitating the homicide, and (2) the victim-offender relationship, distinguishing between victims and offenders who were family members, acquaintances, or strangers. By comparing how factors like poverty and population size have different effects on different types of homicides. Williams and Flewelling found that some factors are more important in explaining certain forms of homicide. Poverty is a strange predictor of family homicide, population size is more important in explaining stranger homicides, and both the victim-offender relationship and the context of the homicide are crucial factors in explaining patterns homicide (Williams, K.M. & R.L. Flewelling, 1988).

Literature Review

According to Hentig (1948) “the relationship between the victimizer and the victim are very intricate. The victim, one who suffers and the victimiser, one who harms, appear in victimisation in a close interpersonal relationship and the victim plays a determinant role with the victimizer”. Many studies reveal that murder cases are more prevalent in crimes against elderly in India. According to NCRB, 19504 citizens above 50 years are murdered in all over India. It shows that 83.47% of murder cases then other type of crimes were found against elderly during 2001- 2006 in India (Das, P.K., 2009).

In the study of Patel M. (2010), it was found that 25% family members were the culprit of crimes against elderly among these, sons were more in number as a criminal than other family members. It was also explore in the study conducted in 2013 that 23.2% incidents of crime have been committed by family members and relatives (Patel A., 2013). A study on abuse of India’s elderly, conducted by Help- Age India, across 20 cities and involving over 5,500 older people, has found that almost one in three (32%) have faced abuse. Indian sons, and their wives, aren’t treating their aged parents well. The son has been found to be the primary abuser in 56% of cases followed by the daughter-in-law in 23% cases (The Times of India, 30 September 2012).

The study by Rufus D. and Shekar (2011), in Tirunveli district, Tamil Nadu, revealed that many of the respondents have been abused financially, emotionally and physically by their own family members. Jones (2006) found that more comprehensive data is required in the fear of elder sexual abuse. Despite a developing awareness of sexual violence, the rape crisis movement has found that many older women have experiences, which would be classified legally as rape, yet they do not considered themselves to be rape victims.

Objectives

Crime against elderly has been perceived as a burning problem, affecting the whole society especially fear among elderly. Keeping this point in view the present study was undertaken, with the following objectives:

- 1 To identify the different types of crimes against elderly.
- 2 To explore the victim-offender relationship in crime against elderly.

Research Methodology

In the present work the newspaper reports (Hindustan Times M.P. Edition, Bhopal, 2004-2013 and The Times of India, U.P. Edition, Kanpur, 2007-2013) have been the source of data. The news items relating to the crime against elderly (both male and female) 60 and above years have been collected systematically and their content were analyzed and presented. Total 199 cases of crimes against elderly were found in given period. The secondary data were taken in this study and presented in a tabular form. Thus the method of content analyses has been used to know the facts of the cases. In the print media report, researcher found information on victim's gender, residence, scene of crime, crime commission time, number of victims, different types of crime, victim offender relationship.

Results and Discussion

Victim's sex and Residence

In this study it was found that male victims were more in number than female victims (55.89% and 44.01%). It shows that crimes against females committed more in old age. In case of residence of elderly person, crimes against elderly were more in urban areas (76.39%) than rural areas (23.06%). It could be because most of the rural cases take place in local papers than others.

Scene of crime and crime commission time

Although, elders consider their home the secure place but this is the place where a large number of such incidents occurred. Data indicates that 65.58% cases were committed inside the door whereas 31.22% cases were committed outside the door. Only 2.45% cases of mobile scene of crime were found. The study also reveals that majority of the crimes were committed during the day time (50%). Only 23.91% crimes were committed during night time. 26.08% cases were not mentioned by any time in the news paper report. As described in Geographical Theory of Criminology "most of the crimes against person committed during day time while crimes against property at night". This study also reveals that majority of the crimes against person were committed during the daytime.

Victim's age

The age of victims varied between 60 to more than 85 years which indicates that crimes against elderly do not respect age. Half of the victims belong to the age group of 60-64 years (43.18%), rest of the others are belong to the age group of 65-69 years (15.41%), 70-74 years (19.20%), 75-79 years (12.92%), 80-84 years (04.96%), 85 and above years (03.78%). Data indicates that as the age increases crimes against elderly decreases.

Number of offenders

In case of number of offenders in each case, it was found that 32.88% of the victims were victimized by one offender. In 10.59% of the cases two offenders were involved in the crime. In 04.38% cases three offenders, 03.62% cases four offenders, 13.94% cases five and more offenders, and 34.60% cases were not mentioned by number of offenders in print media.

Nature of crime (Table-1)

CRIME	NUMBER OF VICTIMS	PERCENTAGE
Murder	106	53.26
Robbery	28	14.07
Robbery and Murder	24	12.06
Rape	08	04.02
Rape and Murder	05	02.51
Arson and murder	04	02.01
Theft	03	01.50
Cheating and Forgery	03	01.50
Grievous hurt	03	01.50
Fraud	03	01.50
Others	12	05.00
Total	199	100.00

The apathy of family members towards their elders is a common scenario all over the world. Victimization may be motivated by psychological, social as well as economic. The nature of crime was found from the Murder to wrongfully restraining (Table-1). As compare to the other crimes, murder cases have been found more in number (53.26%). Rape is the worst form of crime and it is against the dignity and modesty of a woman. It leaves the stigma and label forever. 4.02% victims of rape cases were found between the ages of 60-78 years .In others, crimes were found included- Attempt to Murder, Grievous hurt& Dacoity, Assault & Robbery, Simple hurt, Simple hurt & Robbery, Hurt & Wrongful restraining, Rape & Attempt to Murder, Burglary.

Generally, men commit more crimes than women as in this study ratio of male and female offenders were found 5:1. It is estimated that the number of crime against men are three times as great as those women. But in violent crimes women are often victimized. In Schafer (1975) findings, the proportion of man and woman homicide victims is almost one to one, while Gibson and Klein (1961) found that female homicide victims are more than male victims in the ratio of three to two. In our study the result indicates almost three male homicide victims to one female victim. Similar findings have been observed by Wolfgang (1974). American scholar Dexter found that crime and geographical conditions like barometric pressure, heat, humidity, etc., were highly related with one another. He found that crimes of violence were most numerous during the warm months of the year, during periods of low barometric pressure, and during periods of low humidity (Ahuja, R., 1996).

Victim offender relationship (Table-2)

RELATION	NUMBER OF VICTIMS	PERCENTAGE
Family relation	44	22.11
Acquaintances	46	23.11
Stranger/Unidentified	89	44.72
Not Mentioned	20	10.05
Total	199	100.00

Victim offender relationship – Family relation (Table – 3)

FAMILY RELATION	NUMBER OF VICTIMS	PERCENTAGE
Son	16	36.36
Grand- Son	06	13.63
Daughter-in-law	04	09.09
Nephew	04	09.09
Brother-in-law	03	06.81
Husband	03	06.81
Brother	02	04.54
Relatives	02	04.54
Others	04	09.09
Total	44	100.00

Victim offender relationship - Acquaintances (Table- 4)

ACQUAINTANCES	NUMBER OF VICTIMS	PERCENTAGE
Neighbours	12	26.08
Villagers	11	23.91
Servant	08	17.39
Friend	02	04.34
Milkman	01	02.17
Electrician	01	02.17
Sanitation worker	01	02.17
Others	10	21.73
Total	46	100.00

Victim-offender relationship is one of the most important aspects in victimology. It has been found that 22.11% perpetrators were their own family members (Table-2). Offenders were found as their own sons, daughters-in-law, grandsons, nephews, brothers, brothers-in-law etc (Table-3). In Table 4, Domestic servants, friends, neighbours, villagers were also found indulged in crimes as acquaintances (23.11%). Neighbours were found more in number (26.08%) than others. In some cases domestic servants were the perpetrators of the crime for their material possessions. Social disequilibrium, downfall in moral values, property and land disputes, personal vengeance and enmity, rural factionalism, intoxication, unawareness of crime, poor physical condition, dependency, child in abroad or living alone, police administration have normally been found the causative factors of crime.

Illustrations

1 The incident took place when the victim had gone out to attend nature's call when the accused raped her after beating her up. The woman reached her house and narrated the story. The family members then reported the matter to the Police (Hindustan Times, April 25, 2005).

2 70 year old woman, Rajrani Raizada, a former Delhi Official, killed by her servant for money (Hindustan Times, June 22, 2004).

3 An elderly man was robbed in Bhopal when he was returning home from the market. The victim was carrying cash which was taken away. The robber has been identified after complaint (Hindustan Times, January 15, 2012).

4 A 60 year old woman was allegedly gang raped at village in Chatarpur. Santosh Basod and his brother-in-law raped her in a drunken state. The accused have been caught (Hindustan Times, March 21, 2013).

5 An elderly couple suffered serious injuries while resisting a dacoity. According to report "couple was living alone in a house. Around 11:30 pm at night two miscreants armed with country made pistols and sharp edged weapons knocked at the door and as the couple opened it, they barged into the room. When the intruders tried to snatch cash and valuables from the couple, they resisted. The miscreants then all attacked them with the butt of a country made pistol, injuring them on head". (The Times of India, February 14, 2008).

6 An 82 year old woman was assaulted before being robbed at gunpoint by three assailants. The three dragged the woman to her bedroom, tied up the feet, mouth and hands and rained several blows, and even attacked with a knife, leaving deep injury marks on her throat. She finally begged to spare her life and handed over the keys of almirah. They took away Rs. 1.5 lakh in cash and diamond and gold jewelry. (The Times of India, October 16, 2008).

7 Two men entered victim's house around 10 am when she was alone. They snatched ornaments and cash from her then beat her up severely with the butt of a country made pistol. The robbers then tied her hands and legs before fleeing the robbers escaped with some case and ornaments worth Rs. 2 lakh (The Times of India, October 1, 2011).

8 A women, 87, lodged a complaint with the police alleging that her ex student along with her husband and father forged her signatures and withdrew Rs 6.20 lakh from her bank account (The Times of India, April 21, 2010).

9 A businessman (62) and his bedridden wife (60) were found dead in her room. They had been strangled and their room ransacked. Police arrived at the spot along with dog squad, but the sniffer dog

failed to get any clue. According to family members, the couple was killed in a loot bid (The Times of India, July 10, 2010).

10 A man shot his father when the later refused to give the son his pension money. Accused, who is unemployed, managed to escape (The Times of India, February 2, 2013).

Conclusion

In this study the male victims were more than female victims. The trend of nuclear families is one of the major reasons of increasing crime in India. Crime against elderly is rise due to the current family trend. They miss the cushion of love, support and security which a joint family can provide. Murder of elderly persons is rising due to nuclear families. It is easy to attack an elderly person living alone .This gave courage and opportunity to criminals as the way is smooth for them. Elderly live in constant fear and feel insecure with each gruesome incident. Law and order has always been a concern here. There are many elderly citizens in India who are forced to live alone as their children have settled in abroad or live in another city or live separately. There should be schemes wherein the elderly persons and couples who stay alone should be visited by police from time to time. Special police cell should be set up, where elderly can report their problems. As many research shows that those elderly living alone are targeted by domestic helps or common posing as electricians, plumbers, electric gadgets repairs, meter readers. The lure is cash and jewellery due to temptation-opportunity situation. It was found that the perpetrators found it easy to target elderly people. In most of the cases, elderly employed servant without verifying their credentials or registering them with the police. In many cases of crimes against elderly take place with the connivance of insiders and servants. The servants may play the role of informers, but it leads to drastic result of crime. In many cases son or daughter-in-law involves in taking of money by using of ATM cards without any knowledge of their parents. In rural area, property dispute is the main reason of the murder of elderly by their family. In most of the crimes, elderly are easily become victims by their own family members or people they know personally. “The elderly in India a social safety net so that they can live with dignity and enjoy rather than dread old age (H.T., October 8, 2013).”

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