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# **The Norwegian police and victims of elder abuse in close and familial relationships<sup>12</sup>**

## **Abstract**

Over recent decades domestic violence or family violence, violence against women and child abuse has received much attention in the media, in political discourse and in social research. However, abuse of older adults arouses limited interest. In government action against domestic violence and in police guidance manuals, the elderly receive little attention. The aim of this article is primarily to demonstrate how the police attempt to prevent elder abuse in close relationships, especially in parent-child relationships. Police work connected to criminal elder abuse has been documented through statistics, and the numbers reveal that very few cases end up in court. Most of this article focuses on prevention and assistance. Despite resistance among the elderly to involve the police in their desperate situations, policing at least has the capacity to make a difference for many elderly victims, especially through home visits, motivation, dialogue and interdisciplinary collaboration. Yet some dilemmas remain when policing elder abuse. This article highlights some contradictions between the need of the police to produce criminal cases (often contrary to the interests of the victims) on the one hand, and the police's duty to prevent further abuse on the other. Research has documented that help and prevention measures in question make the situation even worse for the victims they are meant to help.

## **Introduction**

Police efforts to prevent family violence have received increased attention in Norway during recent decades, and the Norwegian police have made this type of violence a top priority. On several occasions, Norwegian authorities have stated that the police are pivotal in the efforts to prevent this social problem (Justis- & Politidepartementet, 2008). The Norwegian police have also obtained several new tools to deal with this tragic reality, primarily through a series of new criminal provisions (Aas, 2009). It is well documented that the Norwegian police, particularly the uniformed police, previously considered family violence to be a private matter rather than a police concern (Jor, 1973; Lund, 1989; Aas, 2009; Grøvdal, 2012).

Despite a growing interest in elder abuse in recent years, the topic arouses little interest among researchers of violence in intimate and familial relationships. Neither the Norwegian

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<sup>1</sup> The data in this article have previously been published in Norwegian in the Police University College's internal report series (Aas, 2015). This article represents a new composition and systematization of data, as well as some new perspectives. This article uses only some of the data from the whole study.

<sup>2</sup> Many thanks to Astrid Sandmoe, Yngvil Grøvdal, Johanne Yttri Dahl, Wenche Aas, Jon Strype og Per-Ludvik Kjendlie for valuable comments on the article.

government action plan against family violence nor the police guidance manual on the subject has any particular focus on elder abuse.

There are two particular contexts in which the elderly are vulnerable to abuse: when being placed in institution and within family relations. A Norwegian survey of neglect reported by nursing staff in institutions for the elderly reveals inappropriate care on a large scale (Malmedal, Ingebrigtsen & Saveman, 2009). However, most abuse of the elderly occurs in close relationships, and the elderly are subjected to abuse in a variety of familial relationships (Sandmoe, 2011).

A fundamental question relates to the necessity of treating the elderly exposed to abuse as an independent group of victims. Given the fact that elderly women are more exposed to physical, mental and sexual abuse than elderly men (O'Keeffe et al., 2007), it is a paradox that the understanding of abuse against the elderly has been insufficiently rooted in gender perspectives. However, family violence in general has largely been understood in the light of theories of gender. Norway's traditional patriarchal culture, in which women are generally placed in subordination to men, has often been perceived as the real and main cause of women's abuse. "Our basic premise is that the cause of abuse is the fact that men dominate women both in personal relationship and in the social institutions" (Dobash & Dobash, 1992, p. 246). Abuse against the elderly on the other hand, has largely been left to the field of geriatrics (Skjørten 2009). If the gender dimension is removed in explaining violence against elderly women, then, it is arguable that "disempowerment" of the elderly may occur, Penhale exhorts "the feminist movement" to pay more attention to elderly women (Penhale, 2008, p. 179).

However, an age-related point of argument is the fact that increased age leads to increased vulnerability in abusive relationships. Furthermore, a person's ability to detach of an abusive relationship and re-establish oneself within an alternative relationship decreases with increasing age. The elderly person is also often dependent on help from the abuser, or vice versa—the abuser is dependent on the vulnerable person (Penhale, 2008). The elderly can be exposed to abuse by their adult children and grandchildren and their ability to detach oneself from a destructive relationship is probably weaker with respect to one's own children than to one's spouse (Davis & Medina-Ariza, 2001). Ties to offspring seem to be particularly strong and accordingly it may be very difficult for one to sever ties with an abusive family member.

Based on these initial reflections grounded in police science and victimology, which are the theoretical pillars of this study, this article explores the following research question:

*How do the Norwegian police protect the elderly from maltreatment by family members?*

While there are many international studies on elder abuse, very few publications (if any) focus solely on how the elderly are managed by the police. The main purpose of this article is to demonstrate ways in which the police may assist elderly victims of family violence. It is important to be more knowledgeable about how to assist the elderly in abuse cases for two reasons: The number of people aged over 60 is increasing in Norway and in other Western countries (Brunborg, 2004; Davis & Medina-Ariza, 2001). The seriousness of maltreatment

of the elderly can result in associated suffering that may result in premature death (Ploeg, Fear, Hutchinson, MacMillan & Boland, 2009).

However, it is not always evident as to who can be classed as elderly. Elder abuse research incorporates different age groups, and it is obviously impossible to determine when a person has become “aged”. When longevity is constantly being extended with a related improvement in health, the age limit for being designated “old” is also increased. As well, there are significant individual variations within these age groups. In a study of elder abuse in Norway, victims between 62 and 95 years of age were interviewed (Jonassen & Sandemo, 2012), whilst in a British victimization survey of “abuse and neglect of older people” the age limit was defined as 66 years (O’Keeffe et al., 2007). Some American studies use an age limit of 55 years (Rennison & Rand, 2003; Zink, Regan, Jacobsen & Pabst, 2003).

One of the informant groups in this study (the Elderly Protection Service) uses an age limit of 62 years. The same limit is used in this study. Empirical studies of violence and abuse against older people have found numerous forms of abuse. The British survey measured physical, psychological, economic and sexual abuse. In addition, it included the category of “neglect” which is reserved for elderly people who depend on help for daily activities and personal care—such as cooking, housework, personal hygiene and medication administration at the right time (O’Keeffe et al., 2007).

A special feature of neglect is that it is not necessarily an active abusive act; the absence of action may also cause harm. Failure to help may itself evolve into an abusive act. Generally research of violence and abuse does not customarily include economic abuse, but Penhale (2008) used this term to include theft and fraud and highlighted the ambiguities and differences within the parameters of what constitutes senior abuse. Equally the definition of abuse provides challenges for those dealing with mental health issues in the elderly, due to the lack of clarity of this term. The right of the elder person to self-determination could conflict with the need for governance and control of those elderly with mental health issues. The elder person may regard active intervention as offensive, and can conflict with a carer’s perspective of doing good or doing no harm.

There has not been any Norwegian research of the complexity or extent of abuse that affects the elderly within close relationships. A victimization survey targeting the spread of insecurity, violence, harassment and intimidation in the Norwegian population revealed that in the oldest age group (75 years) only 1 percent of both men and women reported that they had experienced “less serious violence” during the past year. In comparison, 11 percent of the women and 13 percent of the men in the youngest age group (20-year-olds) had been exposed to the same level of abuse (Hjemdal & Thoresen, 2014). Other studies show similar differences between these age groups (Heiskanen & Piispa, 1998; Haaland, Clausen & Schei, 2005; Juklestad, 2007; Statistisk sentralbyrå, 2008). In the British survey, which relates solely to the elderly, 2.6 percent of the population over 66 years had suffered some kind of abuse from a family member, a close friend or a caregiver during the past year (O’Keeffe et al., 2007). It appears that neglect was most frequently reported. Figures for Norway are unlikely to deviate greatly from this (Juklestad, 2007).

This article will demonstrate that very few cases of domestic violence recorded by the police in Norway involve the elderly. Two explanations might be forthcoming. Firstly as previous research has demonstrated, it is reasonable to suggest that the elderly are actually less exposed to abuse in close relationships than those in younger age groups. Secondly the elderly are less able to contact the police regarding maltreatment even when abuse is known to occur by others. A survey of Norwegian Pensioners' Union members found that 70 percent of the respondents claimed that a neighbor should not report abuse of the elderly even if he/she knows about it (Hjemdal & Juklestad, 2006).

## Method

The primary empirical basis for this study is interviews with a total of 27 informants from three groups:

1. Police officers (15 informants)
2. Employees in the Elderly Protection Service in Norway (eight informants)
3. Managers of four shelters in Norway (four informants)

These three groups of informants effectively form just two groups, because employees in the Elderly Protection Service and the shelters have fairly similar roles in protecting the elderly from abuse. Both follow up the elderly with their own strategies of support and assistance, or try to connect them to other support agencies. The police do not solely represent help and service for victims, as they are also concerned with criminal proceedings in this connection. The police officers who contributed to this study mostly serve in specialist positions related to domestic violence.

The time taken to recruit appropriate police officers was a reflection of those with sufficient experience in the area of elderly abuse. The managers of the shelters are scattered around the country, and were recruited via personal networks related to those managers with experience with older residents. In a previous study (Aas, 2014), focused on fieldwork in shelters throughout Norway, the author acquired a network of contacts that were used for recruitment in the current study. Police officers were also similarly recruited through personal knowledge of suitable officers acquired during the author's twenty years of teaching and research at the Police University College in Oslo.

The Elderly Protection Service employs staff in Oslo, Bærum and Trondheim, most of whom took part in the interviews. These informants were formally contacted through letters requesting interviews. Unfortunately, recruiting victims for participation was unsuccessful, despite repeated requests to the Elderly Protection Service and shelters.

The informants were interviewed individually and in groups, by personal contact or by 'phone (because of long distances). The interviews ranged between half an hour and ninety minutes and were mostly audio-recorded and were conducted between September 2014 and May 2015.

The study did not use a tight interview guide in any of the interviews, simply because of the limited knowledge about the phenomenon of abuse against the elderly—especially in a

policing context. The informants' experiences have therefore been placed at the center of the interviews. In the authors' view, the most successful interviews are created when the informants' views and experiences are allowed to dominate the conversation rather than following a prescribed framework. The interviews resembled conversations that are typical in fieldwork where dialogues between researcher and informant are central (Wadel, 1991). In the authors' experience, dialogue is best suited for delving beneath the surface and obtaining credible responses from informants. This may be particularly true with regard to interviewing police practitioners, who in an atmosphere of confidence also may reveal examples from their own use of unnecessary force in their work.

The employees from the Elderly Protection Service and shelters were mainly requested to reflect upon and assess their cooperation with the police. Policing and the police role are explored through the lenses of these agencies. The police officers were mostly questioned about how they manage elderly people in the context of family violence, and how they cooperate with other agencies.

The interview data are organized according to a typical content analysis, in which data are categorized by topics that recur in the material. A starting point for qualitative interviews is typically a set of key issues that are addressed to the informants. Meanwhile, the researcher needs to be open to the diversity of experiences, opinions, reflections and attitudes that the questions produce. The interview data in this study consist of more than 100 pages of transcribed material from which the creation of meaningful categories is attempted. Some of these categories will be presented in this article.

Although this study failed to recruit victims as informants, the focus of the study is still people in extremely vulnerable situations. Therefore, it is crucial that none of the stories can be traced back to identifiable individuals. This matter was also the crucial ethical issue for obtaining the approval of the Norwegian Centre for Research Data (NSD) for this study.

The limitations of this study are related to the very limitations of qualitative methods as a scientific method. In qualitative interviews the number of informants is limited to a few and the research faces obvious generalization problems. The conclusions of a few cannot be applied to all. However, the strength of qualitative methods is to achieve an in-depth understanding of a phenomena rather than a breadth of knowledge. Regarding limitations, it should also be mentioned that the participation of victims would have enriched this study significantly.

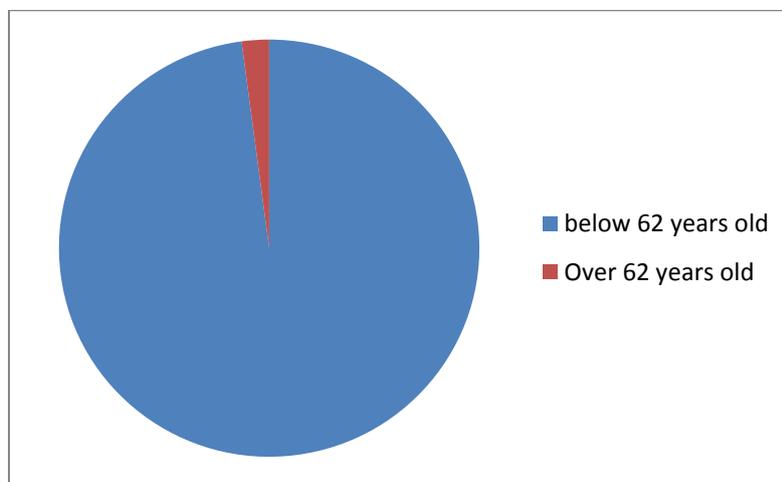
This study contains statistics of victims obtained from the police databases. Two figures showing key aspects of policing elder abuse will be presented in this article. The search in police databases was conducted between June and October 2015. Access to the databases was approved by the National Police Directorate.

## Results

### Number of cases of elder abuse in police records

The percentage of elderly people registered by the police in cases of domestic violence is measured in accordance with the main legal decision in Norway relating to domestic abuse (Section 219 in the Criminal Code of 1902, Section 282 in the Criminal Code of 2005). This provision is designed to capture recurring and severe domestic abuse in close relationships, and shows actions such as “threats”, “coercion”, “restricting freedom”, “violence” or “violate in other ways”. This study examined how people aged over 62 years appear in this pattern of crime. The following figure (figure 1) demonstrates the proportion of elderly in the crime picture of recurring and severe domestic abuse in close relationships:

**Figure 1.** Criminal Code, **Section 219.** Percentage of victims over 62 years of age. **2014. In the whole of Norway.**

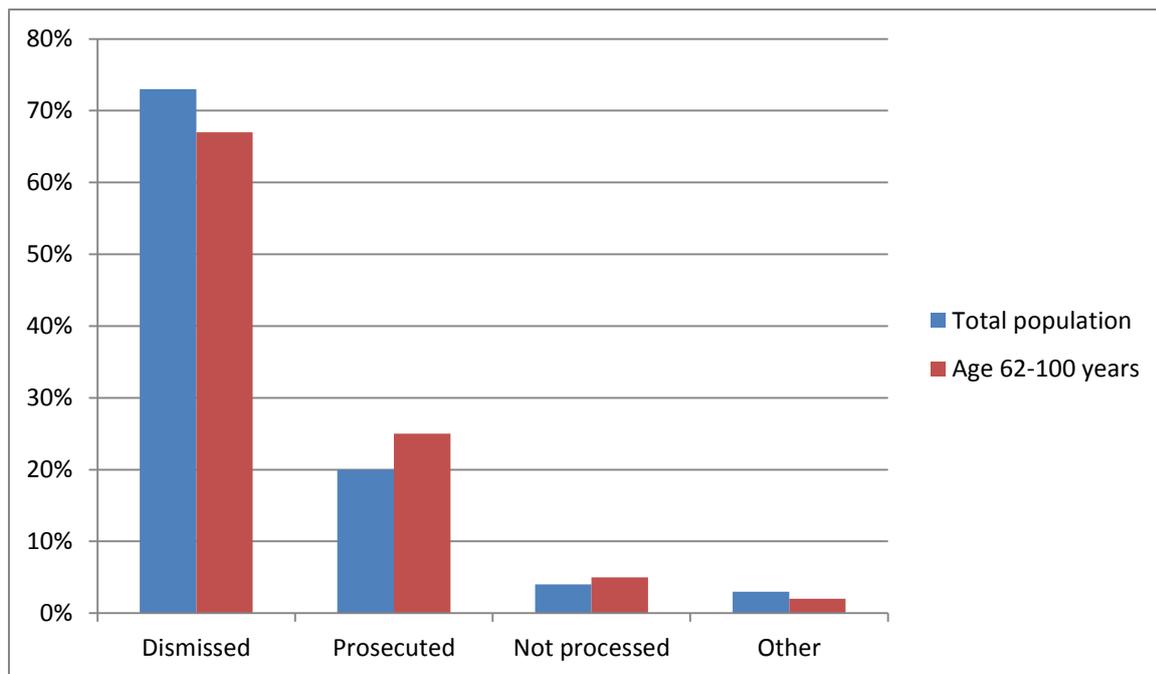


N= 2758 cases.

This figure reveals that elderly aged over 62 years account for only 2.1 percent of this caseload. Meanwhile, the proportion of elderly aged over 62 of the total Norwegian population was 19.4 percent on the 1st of January 2015 (Statistisk Sentralbyrå, 2015).

### What happens to criminal cases?

Another central question about the quantitative data relates to whether abuse in close relationships is resolved differently in the criminal system for the elderly compared with the population as a whole. The next figure may answer this question.



N = 2483 cases

This figure shows that most of the domestic violence cases investigated as a crime according to Section 219 of the Criminal Law is dismissed. This means that police investigations are stopped for various reasons. The most common rationale is dismissal due to weak evidence or lack of evidence. This means that the police have not obtained sufficient evidence to proceed with the case. More than 70 percent of the cases end this way. The problems with gathering evidence in family violence cases are primarily related to the fact that these destructive actions mainly take place behind closed doors with little transparency. Absence of physical marks from violence also complicates the gathering of evidence. Moreover, those involved often provide conflicting explanations of events. The police are often left with cases of “word against word” (Aas, 2009, 2014). Only a fifth of the cases in the overall population result in prosecution. A few cases have not yet been processed. The category “other” refers to other solutions, such as the case being transferred to other agencies.

In 2013, there were only 59 cases of abuse involving victims aged over 62 years. The decisions made in these cases show a pattern roughly similar to the general picture. There are almost equivalent numbers of dismissals and prosecutions of cases involving the elderly as there are of cases involving the general population; from these numbers there is no basis for claiming that criminal abuse cases involving elderly people are resolved differently than other abuse cases. When such a large proportion of criminal cases prove fruitless, other remedies available to the police become even more important to illuminate. The rest of this article focuses on just that topic.

### Resistance to contacting the police

One of the clearest findings in this study is the resistance among the elderly to involving the police in their difficult situation. Manager 1 from the shelters stipulates that for couples who

have lived in abusive relationships “(...) for 40, 50, 60 years—there is absolutely no question about contacting the police.” In her experience the elderly are afraid “to bother the police” and they tend to think that the police have more serious matters to attend to. She further argues that for the elderly: “(...) it is so hard to imagine leaving the relationship—and what can the police do to help then?” Police Officer 1 describes the resistance of elderly people to police intervention when they are abused by their adult children as follows: “What I have experienced through some meetings with the elderly over the past number of years is that they hold back from criminalizing the abuse especially by their own children.” Employee 1 from the Elderly Protection Service struggles to get the elderly to accept guidance offered by the local police. She observes that the elderly are very concerned about getting help for their adult children who suffer from drug addiction and psychiatric diagnoses. Consequently, the police are not a relevant service for many of the elderly.

Employee 2 from Elderly Protection Service claims that “the harsh methods” are far removed from the solutions that the elderly imagine, especially because older people do not consider themselves as being victims, but rather see their adult children as the victims. She feels that she sometimes has to be careful to even mention the police so that she does not appear to push the elderly away. When she mentions the police in a conversation she may lose the client’s confidence, and she elaborates: “The police will be too much for many. They have not come so far—first they must define it as an act of abuse.” Her coworker points out that it is unwise to propose solutions for the elderly too early in the assistance process. She sees her primary mission as helping the elderly to find their own solutions. She explains that she must work “with the handbrake on” with the elderly, which means being patient, and she adds: “There is no quick fix.” Employee 2 is critical of the prevailing ideology in which the quick and specific solutions dominate. She refers to a procedural development in a person’s liberation from a destructive relationship as follows:

You have a process that goes on—and then something suddenly happens. The helpers may help you to open up, so it’s not just a cycle that goes round and round. There are spirals here—something happens. This is important, at least initially. Then the concrete and practical solutions may emerge: Where should I stay? What is my income? And so forth.

Specific solutions such as household living arrangements should not be an issue early in the process of communication, but serve as the end goal. Employee 2 describes her experience with vulnerable elderly people as follows: “It is precisely the ongoing conversations that may contribute to a change, which is not necessarily something profound or therapeutic.” Neither the Elderly Protection Service nor the police have the expertise to conduct therapeutic dialogue, but they can still increase their clients’ awareness about their situation.

The informants from the Elderly Protection Service claim that feelings of shame and guilt are significant obstacles for elderly people to seek help. Feelings of shame caused by living under violent and oppressive conditions are not reserved for the elderly population, but it may have a stronger impact on older victims, particularly on those who suffer from the behavior of their adult children and grandchildren as shame of having failed as a parent also might be an aspect.

### **Police create a breathing space for the elderly victim**

Employee 3 from the Elderly Protection Service reports a classic scenario in elder abuse and neglect. The story is about an adult son who bothered his mother to the extent that she was both terrified and exhausted from the relationship with her offspring. The son struggled with alcoholism and a psychiatric disorder. The police contribution was to come to the woman's address, take the son into custody, ban him from any contact with his mother and provide the mother with a security alarm. This service gave the mother some long-awaited respite. The mother's wish was twofold: she wanted her son removed, and she wanted him to receive help with his problems. The first wish is an obvious case for the police.

Police officers belong to the only profession that has permission to use coercive force (or the threat of it) to solve an acute problem and is according to Bittner (2008), this is the core of the police mandate: "The mandate of policemen consists of dealing with all those problems in which force may have to be used" (p. 168). In acute and escalating events, such as family conflicts that have to be stopped immediately, those involved are aware that the police might use physical force when other solutions are not possible. This is precisely the reason why police intervention is both demanded and effective, and it is primarily in the right to use coercive force that police authority rests (Waddington, 1999, p. 30).

The police possess another similar method for protecting the elderly. Restraining orders grant the police the right to forbid a person from residing in a particular place, pursuing, seeking out or otherwise making any contact with another person. In accordance with the aforementioned resistance to contact the police, Employee 4 from the Elderly Protection Service claims that elderly people bothered by their adult children find it very difficult to accept a restraining order against their children. She elaborates: "Almost no parents accept a restraining order. They want to remain in contact with their son, ensure that he is safe, does not suffer, is not being tossed onto the street and things like that." She goes on to recount the story of a family with violent sons, and an old mother who suffered much. The home care service did not dare to visit her, because they were afraid of one of her sons in particular. The woman was eventually removed to an institution, and the police issued a restraining order only in relation to the institution.

This decision made it possible for the woman to continue to have contact with her sons, meeting them at a cafe or similar places. The employee at the Elderly Protection Service characterizes this solution as a "smart compromise". Restraining orders should be flexible and adapted to the complexity that they are supposed to regulate. Restraining orders are usually practiced with an either-or profile, but this is not particularly well adapted to the reality in which the elderly live. Employee 4 from the Elderly Protection Service highlights a major reason why flexibility is necessary to protect the elderly: "You're 80 years old and you have maybe 10 years left to live. For many of those months you may not be allowed to see and talk to your son or daughter."

### The police on home visits

Employee 5 from the Elderly Protection Service reports on a woman who struggled with her adult son. He was still living with his mother and he was unemployed. The situation is described as follows:

He was up at night and made noise—doing things—she wanted him out, but he wanted no changes. He wouldn't communicate with his mother at all (...) the situation was really desperate—he practiced psychological terror against the mother, not verbally, but nonverbal communication, left things in her way (...).

The problem with the son had continued for a long time when this desperate woman called the Elderly Protection Service, and the story continues as follows:

So I got in touch with the family, mother and son, I had a talk with the son, he promised to improve, but he didn't. Then I got the police involved, and I was present too. They thought that he had to leave the house in order to improve the situation (...). I had a very good experience with the police when they arrived—it was really all right to cooperate with them.

What is special about this story is the willingness of the police to interfere in family life, even visit families who are struggling in such a way without any critical event having occurred. Manager 2 from the shelter explains that when the shelter cooperates with the police in this way, the threat (and perhaps escalating conflict) caused by the police presence may be reduced for the elderly:

That's what we see when we can team up with the police, so it doesn't have to be so serious (...) the elderly have such an incredibly high threshold for bothering anyone—whether the police or the authorities. But if we can tell the elderly that now this policeman says that he wants to talk to your son, then it does not feel so difficult (...). Only that they just catch up. We are really interested in working at a low level—our local police are very good at it.

In this way, the police represent a kind of low-threshold solution, where trust may be created and the elderly may eventually consider further (and more formal) police interventions. However, it is not only positive recognition that the police receive from the informants in this study. Employee 6 from the Elderly Protection Service tells about a woman who has experienced policing in this way:

Now I have a lady who has been exposed to violence for 30 years. She is very affected by this (...). We have a conversation every 14 days. She tells me about all the times she has called the police, but didn't receive any assistance. They didn't care because she is an alcoholic.

In this connection, a well-known police phenomenon may be observed. There are many studies that show that the police differentiate between victims of domestic violence (Aas, 2009). The police care particularly about the “ideal victims”—those that appear innocent, powerless, cooperative and grateful. However, if a victim appears to be an alcoholic, is

uncooperative, argumentative, demanding, unsympathetic, incoherent or otherwise offensive, the police may easily lose interest in their situation.

### **Police as interlocutor**

Police Officer 2 describes a woman who contacted her because she was bothered by her adult son. In addition to drug addiction and mental illness, he took out loans in her name, stole from her and harmed her in other ways. The son gained access to his mother's electronic banking credentials. He was a computer literate, but his elderly mother was definitely not. The son gradually gained full control over her finances. The mother claimed that she loved her son and would certainly not report him. She believed that he needed help. The police investigator told the woman that without a formal report there was little she could do for her. Nevertheless, the woman returned repeatedly to the investigator to discuss the problems she had with her son. She stated that it was good to have someone to talk to, and that she was very pleased with the police officer. The police officer spent many hours with the woman, who felt that the police took her seriously. The woman said that it was only this particular investigator that she wanted to talk to, and she asked for the policewoman even when that officer was absent from work.

The benefit for the woman lay primarily in her conversations with the police. She wanted no formal police procedures, only an officer to talk to. It is interesting to note that the policewoman reports that there was little she could do for the elderly woman, and refers to the absence of a formal report for further investigation. A report apparently represents "real police work" (Finstad, 2000), and it is obvious that the policewoman underestimates her contribution as an interlocutor at a difficult time.

An important part of policing family violence concerns guiding the victims (Aas, 2009, 2014). In this connection, police officer 3 draws an interesting line when she reveals: "I never give advise—I'm guiding, and that's actually a significant difference. I have to leave the choices up to them". Guidance is more in line with the traditional police role, where values of objectivity and impartiality are central. In a guiding process, several different options may be presented without closing the options. This approach prevents the police from being responsible for any solutions.

However, seen from the victims' point of view, the attitude of police officers when communicating with the victims is of most importance. Meeting desperate people in a proper and empathetic manner in professional contexts has proven to be significant in many contexts. A systematic review of international victimological studies draws this conclusion about policing: "The decisive factor for satisfaction with the police seems to be the connection and not the efficiency with regard to clearance (...). Victims first and foremost want emotional support from police" (Skodvin, 2000, p. 44). Similar findings were shown in a study of social workers and their encounters with clients. The clients primarily emphasized the importance of being believed, understood, taken seriously and treated as a fellow human being (Røkenes & Hanssen, 2002). In the medical profession, poor communication between doctor and patient has proven to be the strongest obstacle to treatment for severe depression. Research on

psychotherapy has shown that the most valuable aspect of the treatment from the patient's point of view is the psychologist's empathy, which is more important than the techniques used (Røkenes & Hanssen, 2002, p. 8, 17, 21).

In police encounters with victims of crime it is also possible to identify some symbolic aspects of the communication between the police officer(s) and the victim. Employee 4 from the Elderly Protection Service interprets police contributions related to vulnerable elderly people in line with a symbolic understanding of the police role when she states:

The police are the ones who underline that this is actually a criminal offense—one is not allowed to behave like that. That's the main signal—no one else can provide this but the police—this is not acceptable (...). Then he at least has a clear signal that this behavior is unacceptable. Then the elderly person does not have to wonder whether she should endure this treatment. It's the police who clarify this (...) and this doesn't necessarily mean that one should go for a big trial or something like that.

### **Interdisciplinary collaboration**

Much of the help and preventive efforts by the police involve cooperation with other agencies. The police realize that they are completely dependent on assistance and cooperation with other agencies for prevention, especially in dealing with family violence. After all, the police possess a limited repertoire for managing different types of crime, and preventive measures are often found in the domain of other agencies (Bjørngo, 2015, p. 13). The police role in the interdisciplinary collaboration may vary according to how much the police want to be involved in the matter, who takes the initiative to solve the problem, and who is regarded as the problem owner. Police Officer 1 (a domestic violence coordinating officer) demonstrates the key role in interdisciplinary collaboration by assessing needs through a meeting with victims of violence in close relationships. These victims may be elderly people who have consented to police contact through the Elderly Protection Service, or who are registered in the mission log of the police as a result of emergency call-outs to the victim's address.

This police officer contacts her partners after surveying the victim's needs and establishes a supervisory group to allocate tasks. In these meetings she asks social welfare, municipal services, health care and other agencies to contribute. Once she sees that the support services follow up, she can "drop the matter", she explains. In this regard, Police Officer 4 explains that at her police station they were struggling with a man who, among other offences, had been physically violent toward his elderly mother (among other assaults he had put her in a chokehold). When the police set up interdisciplinary meetings, including psychiatric help, the aggressive man received a diagnosis of criminal insanity. This diagnosis persuaded the police that the criminal justice system was not the only relevant option. The only practical methods the police could apply were to cooperate with other public services to provide help and preventive solutions. In addition, the police believed that they have established a sufficiently good relationship with the elderly mother for her to call them whenever the son was acting in a threatening manner.

The interdisciplinary collaboration has been formalized through the SARA<sup>3</sup> program by the Norwegian police in their effort to handle domestic violence. This program represents a significant change in policing connected to violence in close relationships. In the Norwegian model, there are systematic risk assessments, especially with regard to police follow-up on the preventive measures. The model is an important addition to the criminal justice path in policing. SARA does not yet include the parent-adult children relationship, but the core of the model should be applied as a preventive measure to protect the elderly from this kind of abuse. It is not primarily the survey of risk factors for violence that is of interest here, but the actual risk management that the police conduct (Nøttestad & Lynum, 2011).

The SARA program has formalized prevention and assistance provided by the police through motivational dialogue and adapted assistance for both victims and perpetrators. It is a modern idea to pay just as much attention to the perpetrator as the victim. Police officers in this study realize that unless the offender is offered some kind of help, it will not be possible to prevent further abuse. Police Officer 5 explains in this connection her experience with offenders:

When you talk to them they often have a personal burden (...) we also go into the history in relation to their violent behavior. They have often been exposed to violence in their own childhood. He needs help to loosen this knot, and we help him to get in touch with a therapist. He is pleased to have been heard and given the opportunity to explain the reason why he has done what he has done.

## Discussion

### Introduction

The article has so far shown that the police attempt to prevent elder abuse in various ways, such as creating a breathing space for victims, establishing restraining orders, visiting the victims in their homes, being interlocutors for those affected and taking part in interdisciplinary cooperation. Crime prevention in policing has traditionally been defined as such proactive measures listed here, in which the police are supposed to act in advance of antisocial behavior (Myhre Lie, 2015). However, these findings raise some challenging and principal questions. There are contradicting issues in the policing of domestic violence that should be discussed further. Police acting as providers of help and prevention may collide with the interests of law enforcement. Furthermore, there is a need to discuss police encounters with elderly victims further, and especially the dialogue the police conduct. The

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<sup>3</sup> The Spousal Assault Risk Assessment Guide (SARA) contains risk assessments for repeated partner violence (Kropp, Hart & Belfarge, 1999). This tool was originally developed in Canada, particularly for use by police and the criminal justice system. In 2011, a Norwegian version of the SARA model was developed (Nøttestad & Lynum, 2011). In the Norwegian model the risks are mapped by both police patrols and police investigators, especially through conversations with victims.

results of the study also raise the question of whether policing elderly abuse actually prevents further abuse.

### **The conflicting role of the police**

The Director of Public Prosecutions in Norway in 2008 instructed the police to respond to family violence by filing a report in this way: “(...) once the police understand that they may face a family assault case, an investigation has to be initiated to clarify what kind of offenses are being committed, and their scope and duration” (Riksadvokaten, 2008, p. 2–3). This applies regardless of whether or not the victim wants to pursue criminal proceedings. The results of this study have demonstrated the resistance among the elderly towards traditional and “harsh” police methods like restraining orders and prosecution against their own children. Even when the victim clearly expresses resistance, the police are obliged to press charges. If we assume that the children, even when they are grown up, in many ways form a part of their parents’ lives, the criminal system may unintentionally target the vulnerable. We are consequently drawn into the outer limits of the criminal justice system with regard to its purpose and legitimacy. Criminal law should ideally protect victims of violence, not hurt them.

We have seen that the police assume the role of interlocutor for elderly people who suffer at the hands of their adult children. Under such circumstances, the police have to balance between conflicting interests—on the one hand the need of the elderly to describe their problems without any reaction resulting in prosecution, and on the other the duty of the police to report criminal acts for further investigation. There seems to be quite different practices among police officers in terms of how quickly the criminal justice system is deployed. Some police officers let the victim’s wishes outweigh their duty as police officers by far, and there is in fact an ideological division within the police on this crucial issue.

The statistics on criminal cases related to elder abuse in this study (as well as to family violence in general) proved that most of the cases are dismissed. This finding justifies the following question: Is the criminal justice system suitable for dealing with the abuse of the elderly? In Penhale’s (2008) analysis of the differences and similarities between “elder abuse” and “domestic violence”, she argues that we live in an “ageist” society where older people become marginalized, and she warns against considering elder abuse to be completely different from domestic violence in general. Penhale (2008, p. 175) emphasizes that the elderly should have the same legal rights and be taken just as seriously by the police authorities as the population in general. Criminal sanctions are said to have a necessary function in society (Andenæs, 1994)—maybe not primarily as deterrence, but because of their moral and norm-strengthening effects (Aubert, 1972).

The dilemma of using criminal law to deal with elder abuse could be expressed as follows: By not responding via the criminal justice system legal protection for the elderly may be undermined, but consistent use of the criminal law may harm or worsen the situation of many vulnerable elderly people. Hoyle (1998, p. 204) analyzes this dilemma by pointing to “the disparity between the goals of the police officers and those of the victims”. She explains “the

disjunction between desires and outcome” as being “the very clumsiness of the criminal justice system as a tool for solving domestic disputes” (Hoyle, 1998, p. 204). Taking the fundamental legal principle of equality under the law into consideration, a crucial question is whether criminal law can demonstrate flexibility in relation to the victims’ needs. Can criteria be established to decide which cases should not involve formal police reports and traditional police investigations? How much should the victims’ wishes be emphasized in such an assessment? Furthermore, can we trust victims of elder abuse to know their own true interests?

This study also suggests that police work goes beyond criminal and preventive purposes. The results have shown that the presence of the police was perceived as a clear moral message to both victims and the perpetrators. In general, there are interesting symbolic aspects with regard to the relationship between the police and the population that can be identified beyond what the police produce as tangible solutions. The police symbolize the difference between right and wrong and have a special authority to set norms and limits for society. Holmberg finds that the police have a role as law enforcers, the police uniform being their “performative tool” (Holmberg, 1999, p. 214). In this line of thinking it’s not only what the police *do* that is in focus, but also what the police *are*. The unique authority of the police role puts police officers in a position where they act as norm transmitters, possibly more than any other professional groups. In Norwegian research on abused women and their experiences with the police, the function of the police as norm transmitters is underlined. The abused women in this study wanted confirmation that the police were on their side (Lund, 1992, p. 6). An interesting finding in this study on elder abuse revealed the elderly resist defining themselves as victims of abusive acts. When that is the case, the police could use their authority to help the elderly to understand the seriousness of their painful experiences.

### **Police encounters with the victims**

This article has shown that the police try to help victims of elder abuse through dialogue, as in the example where the police listened repeatedly and carefully to an elderly woman and her stories about an abusive son. There are multiple values to be identified in dialogue in addition to the victims’ experience of being cared for and understood. A good conversation has the capacity to help people to deal with their own thoughts and problems in a different and more active way than if they are left alone with them. “To speak is to think”, says Svare (2008, p. 33), and adds:

In a dialogue, something more than thinking loudly through your own speech is happening. We are challenged on what we say. We may be asked to answer questions, or clarify something that is unclear. And the dialogue partner’s suggestions may stimulate our own thinking and fill out what we’re thinking, arouse associations or by saying something that we not yet have thought.

The dialogue may have preventive effects in the sense that the victims have the opportunity to identify their own limits. The conversation at its best may clarify choices and priorities on the victim’s own terms. The way out of a violent relationship often leads through a lengthy and cumbersome process. The results from this study demonstrate clearly the need to walk

carefully and slowly together with the elderly in the search for solutions. A study of policing women exposed to intimate violence in England may shed some further light on this issue: Over three-quarters of the victims in this English study needed advice and information about their short- and long-term choices. They wanted someone to talk to about their problems, someone they could share their experience with without being persuaded to make quick decisions they were unprepared for. It was primarily moral and practical support that these women needed, and many felt that the police did not spend enough time with them (Hoyle, 1998, p. 188–194).

The presentation of the findings of this study showed that not all victims of elder abuse are treated in a serious and respectful manner by the police, as the example of the elderly woman who appeared to be an alcoholic demonstrates. It is the ideal victims that receive particular attention and trust from the police. It was the Norwegian criminologist Christie who originally proposed the concept of “the ideal victim” (Christie, 1986). This concept has gained great importance in victimological studies. The ideal victim reflects a person or a category of people who receive total victim status in our culture. No one will blame the victim for the crime. The concept of ideal victims is simultaneously a critique against our common way of distinguishing between victims according to external characteristics. The theory of “the social construction of wife abuse” (Loseke, 1992) may enrich our understanding of this issue. In the media, domestic violence is constructed in certain ways for the public, and it is the most heartbreaking and dramatic stories that usually garner attention (Andersson & Lundberg, 2001, p. 85). It is precisely these conditions that make Loseke (1992, p. 10) raise the following questions: “Do women need to show their bruises and broken bones to receive public sympathy? Do women need to act like a battered woman—a poor, defenseless, helpless creature—in order to secure needed housing?” However, we should not operate with a categorical understanding of ideal victims. Victims are regarded as being more or less ideal by helping agencies.

### **Does police assistance worsen the situation of elderly victims?**

While a significant number of findings in this study focus on the helping and preventive side of policing elder abuse, it is necessary to question whether this work actually reduces elder abuse. The fear of police intervention among many elderly, which is documented in this study, is not unjustified especially when we have in mind that many elderly are dependent on their abusers. An American experiment in New York City was conducted with the intention of gauging the effects of different measures for preventing domestic violence (Davis & Medina-Aritza, 2001). This model consisted of a team where a police officer and a “domestic violence counselor” sought out addresses that police had identified several days in advance. This team was based on a division of labor where the social worker informed the victims about the typical character of family violence, their legal options and the importance of contacting the police. Furthermore, a security plan was devised in cooperation with the victims based on an assessment of their assistance needs.

In this experiment, 30 out of 60 public housing estates for the elderly received in addition so-called “public education,” which included information posters that were posted in neighborhoods, brochures that were sent to the elderly, and project personnel who taught about abuse and elderly rights. In addition, “half of the households reporting elder abuse to the police were randomly assigned to receive home visits by a team of a police officer and a domestic violence counselor” (Davis & Medina-Aritz, 2001, p. 3). A very surprising finding from the experiment was that abuse incidents against the elderly increased among the group that received both home visits and “public education.” How could a program rooted in the ideas of helping and prevention lead to even more abuse?

The researchers’ explanation of this surprising discovery is as follows: Many victims leave their abusive partners when the government intervenes, but the elderly are often more dependent on the abuser. In addition, ties to abusive adult children are even stronger than the ties to an abusive partner. Two-thirds of the offenders in the New York study were children or grandchildren of the victims, and the researchers claim that victims of elder abuse are more “stuck” in the destructive relationship than victims of spousal abuse (Davis & Medina-Aritz, 2001, p. 5).

If it is the case that those who mistreat their parents or grandparents become even more aggressive when the government intervenes, it may explain the findings of this project—especially considering that elderly victims do not find opportunities to escape. The researchers advocate more studies to discover why these helping measures resulted in more abuse, and why the results were different between younger victims (no increase) and elderly (an increase).

Based on the experiment in New York, should we conclude that assistance from public agencies seems counterproductive, or is it more likely that the measures in the experiment were not sufficiently adapted to the elderly? The SARA model, which is presented in this study as a formalized multidisciplinary program for policing domestic violence in Norway, has at least the potential to meet individual variations and needs. The preventive effects of this program have not yet been evaluated, but it is especially the model's ability to focus both on victims and perpetrators that seems promising. The preventive work against family violence has traditionally focused one-sided on helping the victims.

## **Conclusions**

The article has documented that the police have the authority to create a breathing space for elderly victims by setting boundaries for abusers in various ways. However, restraining orders should be flexible and adapted to the victims’ needs, which makes it possible for elderly people to keep in contact with their adult children. Measures of a more helpful nature, whereby the police become involved in the conflict and play an active role, are in this article identified by home visits to the elderly and police officers acting as interlocutors for victims. It has been argued that the dialogue at best may identify limitations, possibilities, choices and various needs according to the victim’s own interests. Yet the police cannot operate alone and are totally dependent on cooperation with other professional agencies such as the Elderly

Protection Service, shelters, elderly care, psychiatric institutions and treatment centers for addiction to prevent further abuse.

A centerpiece of the data analysis in this study is that the supportive and preventive roles of the police in elder abuse cases do not always correspond with those of law enforcement. This article challenges the police role with regard to increasing its flexibility to comply with elderly victims' needs with respect to prosecution. Flexibility seems to be especially important in prevention and support efforts to avoid counterproductive outcomes, such as worsening the abusive relationship. According to the SARA program, which has not yet been designed to include the complexity of elder abuse, it is necessary to include offenders in support and prevention efforts. Change is probably as important for offenders as for victims in preventing family violence.

This study identified that only a small number of abuse cases result in criminal prosecution and that the police require more support in their role as an interventionist. As well, there exists strong resistance among the elderly to initiate police intervention especially if there is a dependency role between the abused and the abuser.

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