Elder Abuse and the Law in Malaysia—Implications for Healthcare Professionals

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Abstract

The incidence of abuse among the elderly is on the rise across the world. It is seen as a serious social problem that is a growing concern. A number of countries already have enacted specific legal mechanisms to address and prevent elder abuse. In Malaysia, there is no particular statute to address the abuse of the elderly. It is regarded rather as a form of domestic violence and, as such, the Domestic Violence Act 1994 is applied in such types of cases. Moreover, the other relevant legislation e.g. Penal Code, Care Centre Act, and Trust Act are also applicable in elder abuse cases. However, these statutes do not discuss the role of healthcare professionals. Healthcare professionals play an important role in recognising and reporting abuse, the first step of which is to prepare them with knowledge regarding abuse. This consists of knowing the risk factors and signs and symptoms of abuse and how to report it to the law enforcing agencies. Of equal importance is knowledge of ethical implications, legalities, and ways to prevent elder abuse. Thus, the objective of this paper is to analyse the existing legal approaches and the role of healthcare professionals in dealing with abuses among the elderly people in Malaysia.

Introduction

When Malaysia was first established in 1963, agriculture was the main source of its economy. Life was much simpler then, with the family living and working together. Extended family was the norm, and the structure of the society was closely knit. Like many other developing countries, Malaysia changed the focus of its economy from agriculture to industrialisation.

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