

# Are We Prepared to Face the Grey Tsunami? A Review on Laws for the Elders

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## Abstract

One of the most notable demographic trends worldwide is the growth of the older population, who are aged 65 and above. The world is now going through a phase where the number and the proportion of older persons are increasing. Being an ageing society, the issue of elderly abuse, the welfare and well-being of the elderly population is essential. The problem of abuse and neglect towards the elderly is a subject matter that individuals and communities in our society need to be sensitized. Malaysia will be in the group of ageing nations, with older persons constituting more than 15 per cent of the population by 2030. With the grey tsunami ahead of us, Malaysia must ensure that the laws and policies address the elderly and their welfare issues. Hence, this paper examines the current laws and policies concerning elderly abuse in Malaysia.

## Keywords

Ageing, grey tsunami, elderly abuse and neglect, laws, policies, well-being

## Introduction

Throughout the world, populations in countries are growing older. It is projected that Malaysia will only take 25 years to be an ageing nation. An ageing society is defined as having a minimum of 7 per cent of its population aged 65 years old and older. On the other hand, an aged nation has 14 per cent or more

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of its population aged 65 years old and older. The older population aged 60 and above made up 2.8 million or 9 per cent of Malaysia's population of 31 million in 2015. It is estimated that by 2020, the number of older persons will be 3.4 million (Siti Zaharah et al., 2015).

From 2008 till 2018, there has been a steady increase in the number of the Malaysian population. Malaysia's population has almost quadrupled over the past five decades, growing from 7.4 million in 1957 to 27.4 million in 2010. Malaysians are facing a "demographic time bomb" since the older population are increasing (Herring, 2009) as it is projected that the older population aged 65 and above make up only 5.0 per cent in 2010, and this number is estimated to increase up to 14.5 per cent in only 30 years. In 2020, Malaysia is expected to experience population ageing when the population aged 65 and above reaches 7.2 per cent (Department of Statistics Malaysia, 2016).

Malaysia is now experiencing rapid growth of the older population, just like many other countries worldwide, including Singapore, Thailand, Sri Lanka, and Vietnam (Tengku Aizan, 2015). Hence, it is essential to improve laws and policies to ensure that senior citizens' well-being is taken care of. However, only several countries such as Singapore, Japan, Sri Lanka, and Korea have enacted specific legislation on the elderly. Therefore, the time has come for Malaysians to be aware and facilitate a better understanding of prevention and intervention strategies of elderly abuse as comprehensive prevention and intervention strategies have to be on par to support the ageing nation. There is a massive task of balancing a rapidly ageing society (Tengku Aizan, 2015). Being an ageing society, the issue of elderly abuse, the welfare and well-being of the elderly population is essential. This being said, it is increasingly crucial to ensure that the laws and policies regarding the older population take strikes towards addressing any issues in regards to elders and their well-being.

## **Overview of Elderly Abuse**

Elder abuse only came to light following the detection of child abuse in the 1960s and spouse abuse in the 1970s. Elder abuse was first described in British scientific journals as granny battering in 1975 (Baker, 1975). Elderly abuse has often been an unknown and ignored problem in society. Malaysians have never discussed elder abuse openly. It has often been an issue behind

closed doors, even though it is a growing problem that is grossly under-reported in Malaysia's fast-ageing society. Elder abuse has probably always been there, at least to a certain degree. However, in the past few decades, it has been recognised as a serious societal problem. Only now, there is an acceptance of elder abuse, and there is a realisation that something needs to be done even though the correct response has often been a dispute.

Society tends to overlook and undervalue the elderly. They are labelled as troublesome, weak, a burden, and worst still, they are considered "past their sell-by date" (Baker, 1975). The general perception is that families can take care of their elderly. We always assume that the elderly will be taken care of by their family members when they reach their golden years since Malaysians are brought up with filial piety teaching (Indramalar, 2017). Unfortunately, the brutal truth is otherwise. It is even sickening that they are often abused by those directly responsible for their care, including their flesh and blood (Radha, 2015). According to a study done in the United Kingdom, 51 per cent of elderly abuse in the past year involved a spouse or partner, and 49 per cent of that involved another family member (O'Keeffe et al., 2017). Elderly abuse is not only the result of the heartless and wicked individual; it also reflects the more comprehensive societal attitude towards the elderly population (Herring, 2009).

In Malaysia, there is no specific provision addressing elderly abuse. Elder abuse is recognised as a form of domestic violence. The legislation that deals with domestic violence matters is the Domestic Violence Act 1994 (Act 521), which is to be read together with Penal Code under S326A. The National Policy for the Elderly in Malaysia was introduced in 1996 and revised in 2011 to create a society where older adults have a high sense of self-worth and dignity (Indramalar, 2017). The Federal Constitution acts as the fundamental right for everyone, including the elderly. However, there are no specific laws or prevention and intervention strategies concerning elderly abuse in Malaysia.

Just like child abuse, elderly abuse can no longer be tolerated. Measures must be put in place to ensure that all older persons who become dependent on others for care and assistance are adequately protected and can enjoy a dignified old age. A broader and holistic perspective on prevention and intervention strategies to prevent or reduce elderly abuse must be implemented.

## Strategies that Exist in Malaysia

### Federal Constitution

Part II of the Malaysian Federal Constitution, which contains fundamental liberties, embodies international human rights. The human right principle is exemplified in part II of the constitution are as follows:

*Article 5: Liberty of the person*

*Article 6: Slavery and forced labour prohibited*

*Article 8: Equality*

*Article 9: Prohibition of banishment and freedom of movement*

*Article 13: Rights to property*

Even though these articles have not mentioned the elderly specifically, it may apply in respect of the elderly as it is the fundamental right of every individual (Husna, 2014). Article 5 of the Federal Constitution has provided that every individual is guaranteed a life with dignity. Article 5(1) of the Federal Constitution stipulates that “No person shall be deprived of his life or personal liberty save in accordance with the law” (Federal Constitution, 1957). Every person is entitled to liberty, and it is not conferred on Malaysian citizens only. The Court of Appeal has given a comprehensive interpretation that includes the right to livelihood, healthcare, water, housing, and education in *Tan Tek Seng v Suruhanjaya Perkhidmatan & Anor* (Zulazhar et al., 2019). The rights guaranteed in Art. 5(1) are mostly implied fundamental rights, and if the courts were to adopt a narrow and strict interpretation of that provision, there should be no room or space for implied rights (Zulazhar et al., 2019).

There is another provision in the Federal Constitution that may impact the rights of elderly is article 8(1) of the Federal Constitution, which provides that “all persons are equal before the law and entitled to the equal protection of the law.” Furthermore, article 8(2) of the Federal Constitution forbids discrimination based on religion, race, descent, and place of birth or gender. In other words, in the context of protection of the elderly, there shall be no discrimination and unfairness in the treatment of the elderly.

However, under Article 8(2) of the Federal Constitution, there are apprehensions as age is not a protected ground. Even though Article 8 of the Federal Constitution provides for the rights to equality and discrimination, it

cannot be applied to the elderly. Therefore, an appellant who needs to claim age discrimination has to proceed under Article 8(1) and not Article 8(2). The *Government of Malaysia v VR Menon* case shows how a formal approach to equality fails to protect the elderly against discrimination (Bhatt, 2017).

One more provision in the Federal Constitution which may also impact the rights of the elderly is the fundamental right against slavery and forced labour found in Art 6(1). This article is wide enough to guard any subtle and irrational form of exploitation and modern-day slavery (Siti Zaharah et al., 2015). Furthermore, Article 9 refers to the freedom of movement, and Article 13(1) states that “No person shall be deprived of property save in accordance with law.” Nevertheless, although no specific mention is made to the elderly, it is suggested that all these provisions may be equally applied in respect of them.

The rights of older people do not diminish as they age. Therefore, there should be a comprehensive provision in the Federal Constitution that adequately addresses the specific protections required by elderly in Malaysia; otherwise, they would remain a vulnerable group that does not have a suitable instrument tailored to their particular needs. However, amending the constitution will not be easy, and the interpretation has to be what it was meant to be after the amendment [2005] (3MLJ 681).

## **Policies on ageing in Malaysia**

Malaysia is one of the earliest countries to have its policy for an older person (Zaimi, 2007). After the 1st World Assembly on Ageing held in Vienna in 1982, Malaysia developed the National Policy for the Elderly (NPE) (Tengku Aizan, 2015). The National Policy for the Elderly was first formulated in 1995, introduced in 1996, and then revised in 2011 to provide for the development needs of the elderly population in Malaysia (Lim et al., 2014). The National Policy for Older Persons 2011 emphasises empowering individuals, families, and communities by providing elderly-friendly services and enabling and supportive environments to improve the well-being of the older person (Tengku Aizan, 2012). The main objectives of the National Policy for Older Person 2011 that has been listed are as follows (Tey et al., 2015):

- a) *To establish and develop dignity and respect for the elderly in the family, community, and country*
- b) *To develop the potential among the elderly to maintain their activeness and productivity in the process of developing the country*
- c) *To encourage and create facilities to ensure care and protection for the elderly towards a better living*

The National Policy on Older Persons recognises the elderly as someone who comes from various backgrounds and diverse experiences and those who have the equal right to enjoy a comfortable life to give back to the development of the nation (Mohd Fazari, 2017). The National Policy for the Older Persons revolves around a five-dimension framework whereby an older person's well-being is divided into productive ageing, healthy ageing, active ageing, positive ageing, and supportive ageing (Mohd Fazari, 2017). In addition, there are six strategies that have been outlined in this policy which include promotion and advocacy, life-long learning, safety and security, governance and shared responsibility, intergenerational solidarity, and research development (Ruhaini, 2013).

Next, the multidimensional National Health Policy for Older Person, which the Ministry of Health developed in 2008, runs concurrently with the National Policy for Elder Persons (Tengku Aizan, 2015). With this policy in place, the government has pledged to ensure older persons will achieve optimal health through integrated and comprehensive health and health-related services (Country Report, 2013).

Specifically, the main objectives of the National Health Policy for Older Person are as follows:

- a) *To improve the health status of older persons*
- b) *To encourage participation in health-promoting and disease prevention activities throughout the life course*
- c) *To advocate and support the development of enabling environment for independent living*
- d) *To provide age-friendly, affordable, equitable, accessible, acceptable, gender-sensitive, seamless health care services in a holistic manner at all levels*

In line with the National Policy for Older Persons, a Plan of Action for the Older Person was established through the National Advisory and Consultative Council. A strategy based on respect and dignity, self-reliance, participation, care, protection, and research and development were integrated into the Plan of Action. These five principles were similar to the World Assembly on Ageing in 1982 (Guan, 2008). The implementation of the Plan of Action, which involves short, medium, and long-term programmes, are inter-sectoral, whereby it involves the coordination among the ministries, agencies, private sectors, non-governmental organizations, and the community (Ruhaini, 2013). Through the Plan of Action, the effectiveness of the programmes carried out for the elderly will be scrutinised and evaluated by the National Advisory and Consultative Council for Older Persons (Ruhaini, 2013).

Based on the 11th Malaysian Plan, in enhancing inclusiveness towards an equitable society, strategy A4 addressed specific target groups' needs. During the Plan, concerted efforts would be undertaken to enhance the quality of life of the older person in Malaysia (Ministry of Economic Affairs, nd). These efforts taken by the government is an initiative that focuses on providing elderly-friendly services for the betterment and the well-being during one's old age. However, even though the policy has very noble objectives, it does not have any legal implications, hence making it inadequate to alleviate elderly abuse.

### **Domestic Violence Act 1994 (Act 521)**

The legislation dealing with matters on domestic violence is the Domestic Violence Act 1994 (Act 521), which is to be read together with the Penal Code (Asiah & Jal Zabdi, 2015). The Domestic Violence Act (DVA) was gazetted on 7th July 1994 and enforced in 1996 (Zulazhar et al., 2019). The DVA is the primary legislation enacted to deal specifically with spousal abuse (Mohammad Abu et al, 2019), which protects and provides civil remedies to abused victims, while the Penal Code concerns penalizing the abuser (Asiah & Jal Zabdi, 2015). Although the Domestic Violence Act is wide enough to cover issues dealing with elderly abuse in Malaysia, there is not much written on the legal protections offered by the act to the elderly victim (Zulazhar et al., 2019). It has been proposed that the current provisions in the Domestic Violence Act are to be

amended to add a more unambiguous provision on elderly abuse as it is not comprehensive enough for the issue of elderly abuse (Aishath, 2010).

Domestic violence is said to be committed if the act falls under any one of these categories (Section 2, Domestic Violence Act 1994):

- a) wilfully or knowingly placing or attempting to place the victim in fear of physical injury;
- b) causing physical injury to the victim by such act which is known or ought to have been known would result in physical injury;
- c) compelling the victim by force or threat to engage in any conduct or act, sexual or otherwise, from which the victim has a right to abstain;
- d) confining or detaining the victim against the victim's will;
- e) causing mischief or destruction or damage to property with intent to cause or knowingly that is likely to cause distress or annoyance to the victim;
- f) causing psychological abuse which includes emotional injury to the victim;
- g) causing the victim to suffer delusions by using any intoxicating substance or any other substance without the victim's consent or if the consent is given, the consent was unlawfully obtained; or
- h) in the case where the victim is a child, causing the victim to suffer delusions by using any intoxicating substance or any other substance, by a person, whether by himself or through a third party

The offender perpetrates a wrongful act against a spouse, former spouse, a child, an incapacitated adult, or any other family member (Section 2, Domestic Violence Act 1994). Elderly persons are protected under the definition of incapacitated adults. An incapacitated adult is defined by the Act to mean a person who is wholly or partially incapacitated or infirm because of physical or mental disability or ill health or old age, who is living as a member of the offender's family, including any person who is confined or detained by the offender (Section 2, Domestic Violence Act 1994). It is an offence under the Penal Code, leading the abuser to be prosecuted for the crime if the Act committed against the elderly falls under the category of domestic violence under the Domestic Violence Act (Asiah, 2015).



Several remedies are provided by the Domestic Violence Act, such as the Interim Protection Order (IPO), Protection Order (PO), compensation, counselling, and other orders. For example, the Interim Protection Order prohibits the person against whom the order is made from using domestic violence against any family member or the incapacitated adult (Section 4, Domestic Violence Act 1994). Likewise, the Protection Order can be applied by the victim who has the effect of restraining the person against whom the order is made from using domestic violence against the incapacitated adult (Section 5, Domestic Violence Act 1994). The new proposed amendment to the Domestic Violence Act, which was passed in 2017, accounts for the expansion of the Interim Protection Order and the Protection Order. The expansion includes victims whose abusers try to steal from them or whose actions lead to the victims' depression (Arfa, 2017).

Apart from that, the Act also provides compensation for the injury, loss, or damage suffered by the victim as the court deems to be just and reasonable (Section 10, Domestic Violence Act 1994). The court may also order the parties to attend reconciliatory counselling and psychotherapy or rehabilitation counselling, if necessary (Section 11, Domestic Violence Act 1994). Compensation, counselling as specified in section 10, and power of arrest without warrant stipulated in section 7(1) is the strength of this Act.

The Domestic Violence Act applies to all family members, which includes the elderly, yet, the focus of this Act is to mainly protect women and children. Although this Act may apply to elderly abuse, some provisions in the Act might not be apt for the vulnerable victim of elderly abuse (Asiah, 2015). The nature and the dynamics of elderly abuse are not the same as other abuses, and it requires a unique approach to handle it (Indramalar, 2016). According to Jal Zabdi (2019), most elderly abuse cases do not fall under the definitions of abuse provided in the Domestic Violence Act. There is more to elderly abuse than just physical abuse, sexual abuse, and psychological abuse. For example, the Act does not cover financial abuse, neglect, and abandonment. Research suggests that specific provisions relating to the various types of elderly abuse should be included in the Domestic Violence Act to make it applicable to vulnerable elderly (Asiah, 2015).

Besides having no clear definition of elderly abuse, the category of elderly abuse is limited to the domestic setting whereby the victim and the perpetrator must reside together in the same home to invoke the provision on abuse. However, this may not always be the case with elderly abuse. The Act does not provide for elders living apart from their children and yet are being mistreated (Zulazhar et al., 2019). Abandonment and neglect of the elderly do not require parents and adult children to reside together. Parents are often neglected at care homes, and sometimes, children would wash their hands of responsibility to the care home managers to take care of their aged parents (Tashny, 2019). According to a recent article, the failure of children to visit their parents or to give proper attention to their parents is to be considered as a form of neglect as situations such as this would lead to elderly parents' emotional well-being, which subsequently leads to senility or dementia (The Star, 2018). These issues are not illegal under the current act despite increasing occurrences being reported in the media (Indramalar, 2019).

The remedies provided in the Domestic Violence Act are not suitable for the victims of elderly abuse. As discussed earlier, an older person is at risk of being a potential victim of abandonment and neglect, making it unsuitable for interim protection or protection orders (Asiah, 2015) which otherwise would be appropriate for the victims of domestic violence. Steinmetz (in Pillemer, 1985) argues that families go through "general inversion" whereby the elderly person becomes dependent upon their children for physical, emotional, and or financial support, which would escalate the stress in the caregiver and, in return, lead to potential abuse unless sufficient resources are available. Hence, compensation may not be the best remedy for the elderly victim (Asiah, 2015). Finally, although counselling may reduce the trauma of the abuse, it may not be very suitable for elderly people who have health problems such as dementia or chronic diseases.

The current Domestic Violence Act 1994 does not have a provision on mandatory reporting. Every so often, a mandatory reporting provision requires a person to report the case of abuse to the appropriate authority if they know of an elderly victim of elderly abuse (Fischer, 2012). It has been proposed that mandatory reporting is necessary to avoid elderly abuse incidents being a private problem (Asiah, 2015). A filial responsibility provision is also absent in

the Malaysian Domestic Violence Act. Rarely if enforced, this provision would require that food, shelter, clothes, and medical attention be provided to the elderly parents by their children (Fischer, 2012). We would not have imagined such legislation or provisions have to be introduced, yet such drastic action would be necessary with such negative development in recent years (The Star Online, 2018).

Although there are advances towards improving the condition of elder abuse, there is still so much more to be done. Desirable amendments are needed to address the outcry of the elder abuse victim. As mentioned earlier, even though the Domestic Violence Act applies to the elderly, it does not cater to elderly abuse issues (Aishath, 2010). It is substantiated that the Domestic Violence Act has its defect as it fails to extend protection to those who require its protection (Kumaralingam, 2003).

### **Other Relevant Laws**

The Penal code acts as the principal criminal statute which deals with criminal offences against persons and property. The acts committed against an elderly person have to be a crime under the Penal Code before taking any action against the perpetrator. Section 326A of the Penal Code states that whoever causes hurt to his spouse or former spouse, a child, an incapacitated adult, or other members of the family and commits an offence under section 323, 324, 325, 326, 334, or 335 shall be punished with imprisonment for a term which may extend to twice of the maximum term for which he would have been liable on conviction for that offence under the relevant section notwithstanding any other punishment provided for that offence. The elderly persons are therefore protected under the definition of “incapacitated adult” laid in the Domestic Violence Act. In addition to this, several other laws provide some form of protection to the elderly. This includes the Employment Act 1955, Employee’s Social Security Act 1969, Employees Provident Fund Act 1991, and the Pension Act 1980. However, these Acts only provide general protection for the elderly and are not specific to elderly abuse. It is inadequate, and hence a specific law for elder abuse is imminent (Zulazhar et al., 2019).

## International Perspectives

In dealing with elderly abuse, most countries have adopted specific policies or legislation to ensure that the welfare and well-being of the elderly are taken care. Sri Lanka, for instance, has the Protection of Rights of Elders, Act Number 9 of 2000. However, there was no specific legislation in Sri Lanka to provide for the elderly general, social, and financial security until the Protection of Rights of Elders, Act Number 9 of 2000, was enacted (Prasannath, 2014). The enactment of this Act was Sri Lanka's first attempt to recognise the challenges faced by vulnerable elders. The Act has enabled the Council for Elders, the National Secretariat for Elders, the National Fund for Elders, and the Maintenance Board (Ministry of Social Services Sri Lanka, 2012).

The National Council for Elders was established in 2003. This council consists of multidisciplinary multi-stakeholders, which comprise the representatives of the ministries of social services, health, and finance as well as the experts and voluntary organisations that are engaged in providing services for elderly individuals (Samaraweera & Maduwage, 2016) that meet every month to discuss and take corrective measures to overcome concerns relevant to the elders (Zulazhar et al., 2019). The principle function of this council is the promotion and protection of the welfare and the rights of elders in Sri Lanka and to assist them to live with self-respect, independence, and dignity (Paranitharan, 2009). In addition to this, whenever there is a need to promote and protect the elders' welfare and rights, the council takes all measures and collaborates with other ministries, provincial authorities, district and divisional authorities, non-governmental organizations, and the private sectors (Mala Kapur, 2020).

The National Secretariat for Elders acts as the implementation body and funding authority of the National Council (Maduwage, 2020). The main focus of the secretariat is to protect the rights and promote the welfare of elderly citizens. Besides, a board has been established for the determination of claims for maintenance made by elders. An older person who cannot maintain himself may apply to the Board for an order that one or more of his children pay him a monthly allowance or a lump sum of maintenance (Ministries of Social Services Sri Lanka, 2012). The establishment of the Maintenance Board provides a legal

mechanism for parents who have been neglected to receive maintenance from their children. The Act was then amended, and the Protection of Rights of Elders (Amendment) Act was enacted in 2001, which gave Sri Lankan elders further rights.

Sri Lanka also has the National Charter for the Senior Citizens in 2006 and the National Policy for the Elders and Elderly Health Policy 2016 to ensure that elders of Sri Lanka are being protected and cared for (Maduwage, 2019). The National Charter for Senior Citizens 2006 and the National Policy for Elders were grouped in three priority areas which are the elders and development, advancing health and well-being, and ensuring, enabling, and supporting environment based on the decisions that were made at the 2nd World Assembly of Ageing (Ministries of Social Services Sri Lanka, 2012). In addition, under those priority areas, 17 other strategies were involved in the prevention of elder abuse directly and indirectly (Maduwage, 2020). In 2010, in collaboration with the World Health Organization (WHO), the National Secretariat formulated the National Plan of Ageing. The plan was formulated in line with the priority areas and the strategies of the National Policy. It is expected to be submitted to the Department of National Planning for allocation of funds for implementations. All of these suggest that Sri Lanka has made efforts to care for the welfare and well-being of its senior citizens.

Japan is another country that addresses the issue of elder abuse and neglect in its laws and policies. Japan enacted the Elder Abuse Prevention and Caregiver Support Law in reducing their burden of caregiving for the overall purpose of elder abuse prevention and elder rights protection. It was done by outlining the roles and responsibilities of the national and local government and the citizens of Japan itself (Tsukada, 2020). The Japanese Elder Abuse Prevention Act embraces welfare as it emphasises support and not penalties alone. As such, the Act emphasises supporting caregivers who end up being abusers and not by deeming them as “bad people.”

The Elder Abuse Prevention and Caregiver Support Law 2006 covers five types of abuse in domestic and institutional settings, including physical abuse, sexual abuse, psychological abuse, financial abuse, and caregiver neglect (Nakanishi et al., 2009). The law sets forth the responsibilities of the national and local government for elder abuse prevention and caregiver support

(Siti Zaharah et al., 2017). The municipal government is the central agency in charge of elderly abuse prevention. Besides, the Elder Abuse Prevention and Caregiver Support Law 2006 also creates a mandatory reporting system for domestic and institutional elderly abuse cases and emphasises caregiver support (Watanabe, n.d). Research by Nakanishi et al. has shown that the Elder Abuse Prevention and Caregiver Support Law 2006 increases the awareness of service providers and has enhanced the reporting system of elderly abuse. The Act has made elder abuse less of a “familial matter” and more of an issue that society should cope with. The Act has become a legal basis for those who deal with elder abuse prevention for their daily practice.

Unlike Japan which has a specific law for elderly abuse, Singapore did not have a law dealing specifically with elderly abuse until the Vulnerable Adult Act was enacted in 2018. The Vulnerable Adult Act sets out a situation where the State can intervene to protect the vulnerable person from abuse, neglect, and self-neglect. Before this Act was enacted, Singapore has had various piecemeal legislative interventions in terms of the Maintenance of Parents Act for financial neglect by the children towards their aged parents and the expansion of civil protection orders for family violence to cover family members other than spouse and children under the Women’s Charter (Chan, 2019). In addition, to deter elderly abuse and neglect of those who lack mental capacity by their caregivers, a new criminal offence of ill-treatment was created under the Mental Capacity Act (Chan, 2020). Besides the legislative framework that has been developed to protect the vulnerable elderly Singaporeans, the Singapore government has also set up specific platforms to prevent and manage the issues of elder abuse which includes the establishment of National Family Violence Networking System, Family Violence Specialist Centres, and the Family Dialogue Group (Wai et al., 2020).

## **Conclusion**

“We have added years to life, it is time to add life to years (United Nations, 2017)”. Without a doubt, it is evident that elderly abuse and neglect is an issue that will affect not only the elderly but also their family, the community, and the state. Revelations have been made through analysis that the existing legislation

is insufficient to give the elders who require protection to live a life of dignity in the latter part of life. Our responsibility is to ensure that elderly people live a dignified and autonomous life free from the pain and degradation of elder abuse in their golden years. Therefore, there is a need to have the legal protection that will ensure that the rights of the elders are well protected to cope with the increase of older people.

The enactment of a specific law for the elders is timeliest as we are heading towards becoming an ageing nation. By having a specific act for the elders, the rights of the elders will be strengthened and protected. This way, society will be aware of the importance of the elderly issues, the same way it did when the Child Act 2001 was enacted. Extending the shades of lights to the matters of elders would show that any form of abuse against the elderly community in Malaysia will not be tolerated. Every person would want to age gracefully with protection; hence, it is about time for Malaysia to develop a suitable and well-tailored framework to protect the rights of vulnerable elderly Malaysians.

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