

LEGAL NEEDS SURVEY  
OF THE ELDERLY PEOPLE  
WITH COGNITIVE IMPAIRMENT  
IN A SUPER-AGING SOCIETY

Conducted by Japan Federation of Bar Associations (JFBA)

in 2016 and 2017

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# INTRODUCTION

- HOW NEEDS SURVEY OF THE ELDERLY PEOPLE WORK? -

- Questionnaire survey or face-to-face survey targeted the elderly people themselves directly are inaccurate and impractical because they have often **cognitive impairment** and cannot answer accurately.



- Therefore, Japan Federation of Bar Associations(JFBA) conducted a legal needs survey which **targeted not the elderly people themselves, but the social caseworkers** specialized in elderly issue working at local elderly care management centre.

## METHODOLOGY OF SURVEY THAT TARGETED THE CASEWORKERS - QUESTIONNAIRE SHEETS SURVEY & FACE-TO-FACE IN-DEPTH INTERVIEW SURVEY -

- Questionnaire sheets were sent to all the local elderly care management centres located in 23 wards of Tokyo and other three prefectures.
- Social caseworkers at each centre were asked if they had experienced problems of the elderly people in the **past one year** that had **remained in the deep impression: for example, “went well”, “went wrong”, “difficult to solve”, “had a challenging time”** etc.
- 15 problems categories were prepared in questionnaire sheets, that is; elderly nursing care; elderly medical care; pension; housing; property management; elderly abuse (caregiver; care home); money/debt; consumer; divorce/dissolution of adoption; inheritance; trouble with relatives; trouble with neighbours; tax; crime (perpetrators; victims); wandering elderly.
- **1,046 social caseworkers returned questionnaire** sheets to JFBA and **1,269 individual cases were reported**.
- In addition, 13 caseworkers proceeded to the face-to-face in-depth interview and 20 individual cases were analysed in detail.

## INCIDENCE OF PROBLEMS -REPORTED INCIDENCE OF PROBLEM TYPES (N=1,269)-

Problem Type	Number	Percent (%)
elderly nursing care	792	62.4
elderly medical care	639	50.4
property management	552	43.5
Housing	453	35.7
elderly abuse (caregiver; care home)	299	23.6
trouble with neighbours	289	22.8
Pension	244	19.2
money/debt	207	16.3
trouble with relatives	131	10.3
Inheritance	99	7.8
wandering elderly	93	7.3
Consumer	68	5.4
divorce/dissolution of adoption	49	3.9
Tax	31	2.4
crime (perpetrators; victims)	26	2.0
Others	219	16.5

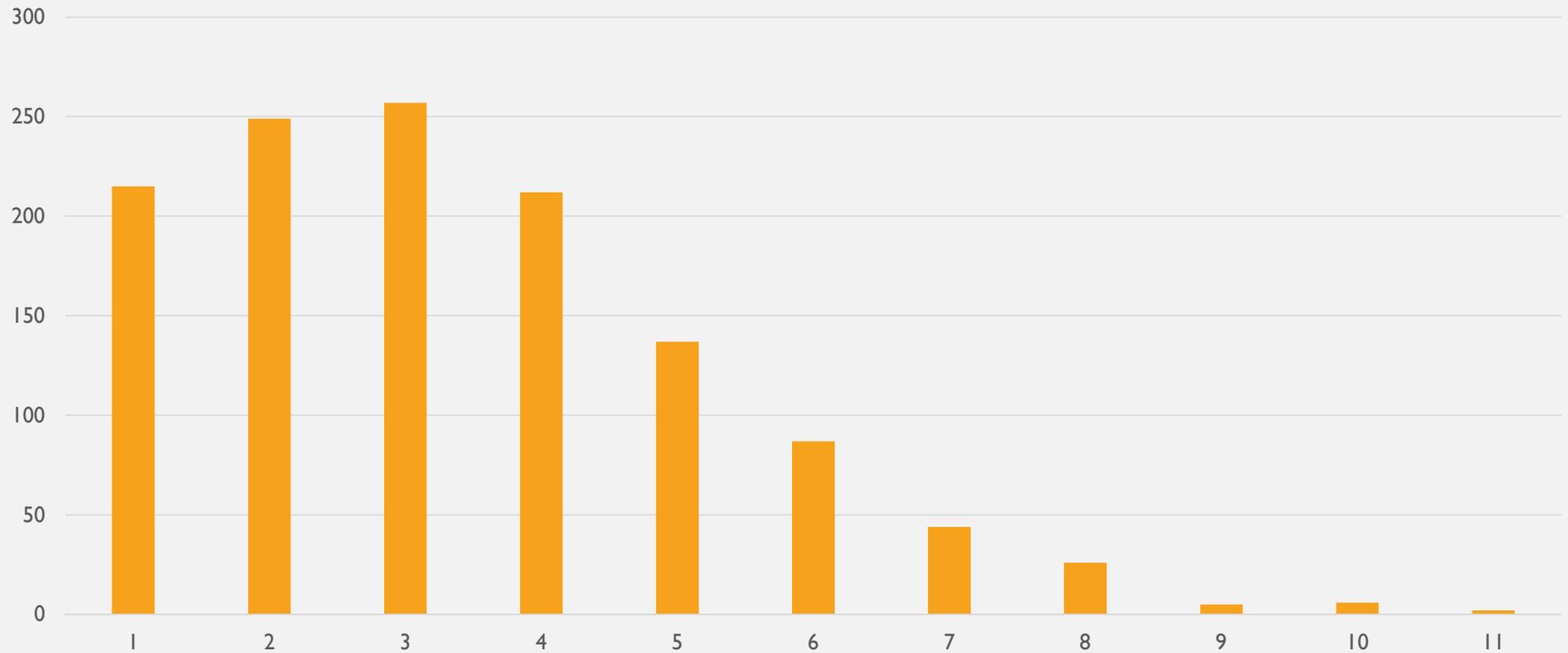
## PROBLEM CLUSTERS

elderly nursing care  
elderly medical care  
property management  
housing

elderly abuse, trouble with neighbours,  
Pension, money/debt, trouble with relatives,  
Inheritance, wandering elderly, consumer,  
divorce/dissolution of adoption, tax, crime

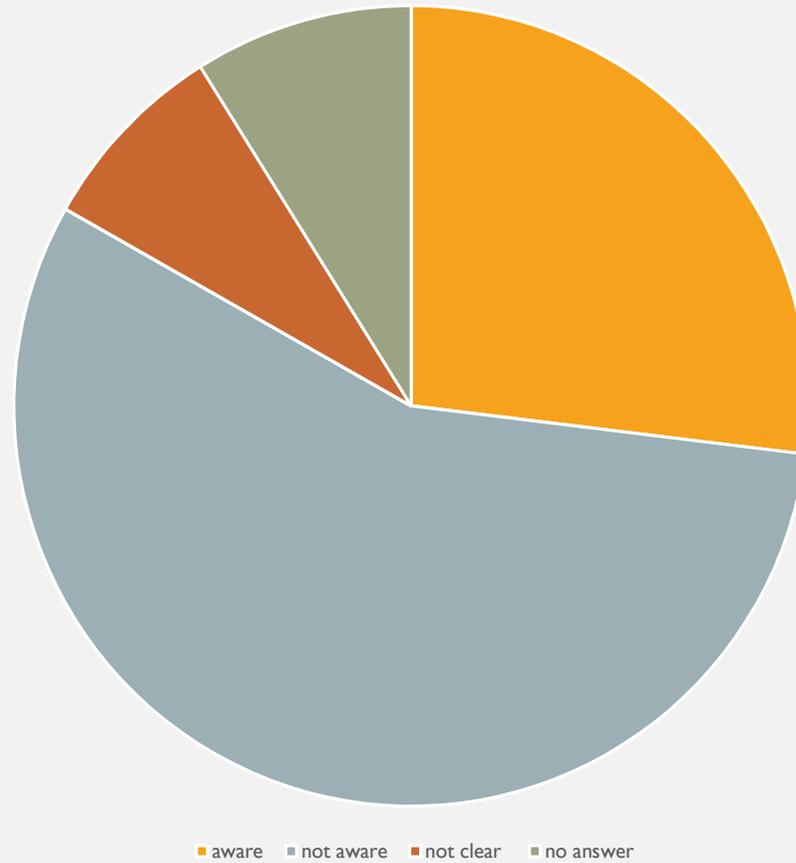
# MULTIPLE PROBLEMS

-THE NUMBER OF PROBLEMS WHICH THE CASE WAS HAVING (N = 1,240)-



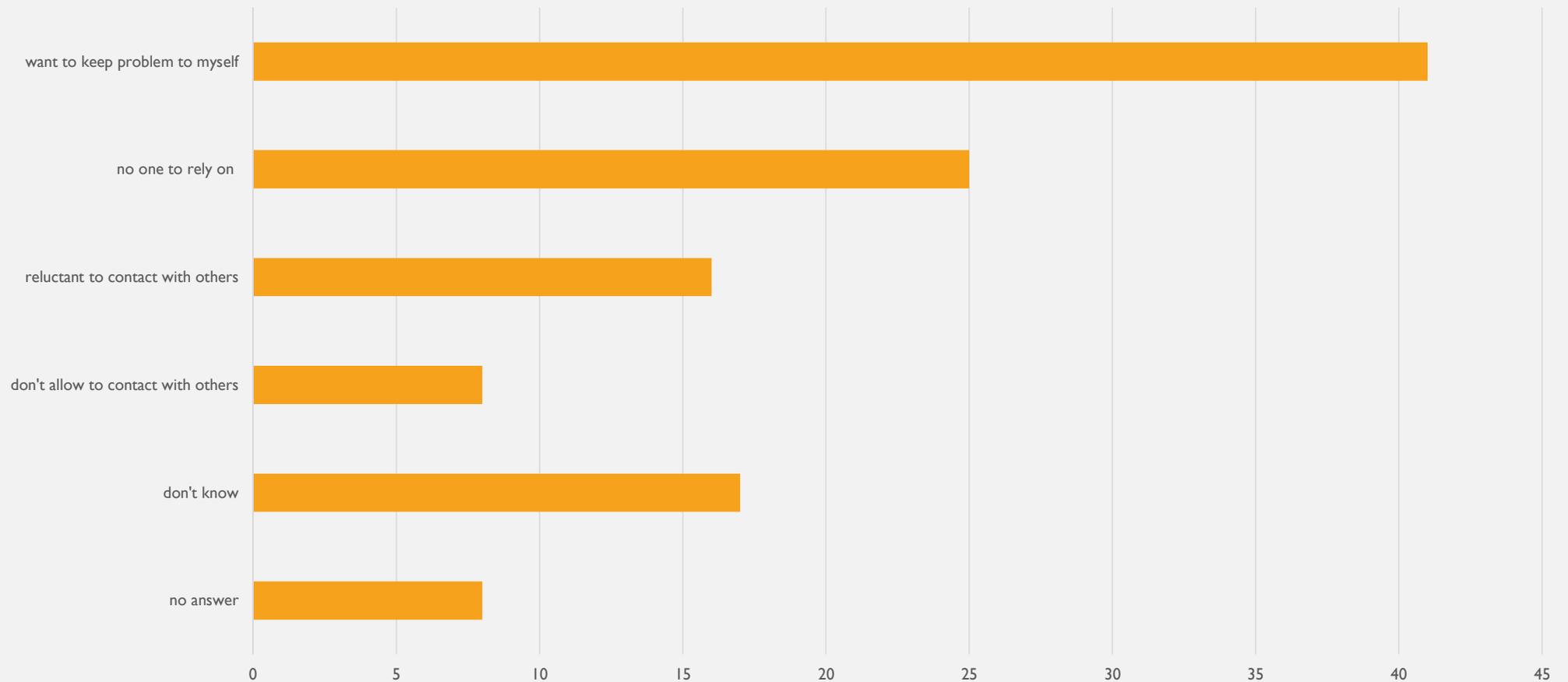
## RESPONSE TO PROBLEMS

Awareness of the Problems (n = 1,099)



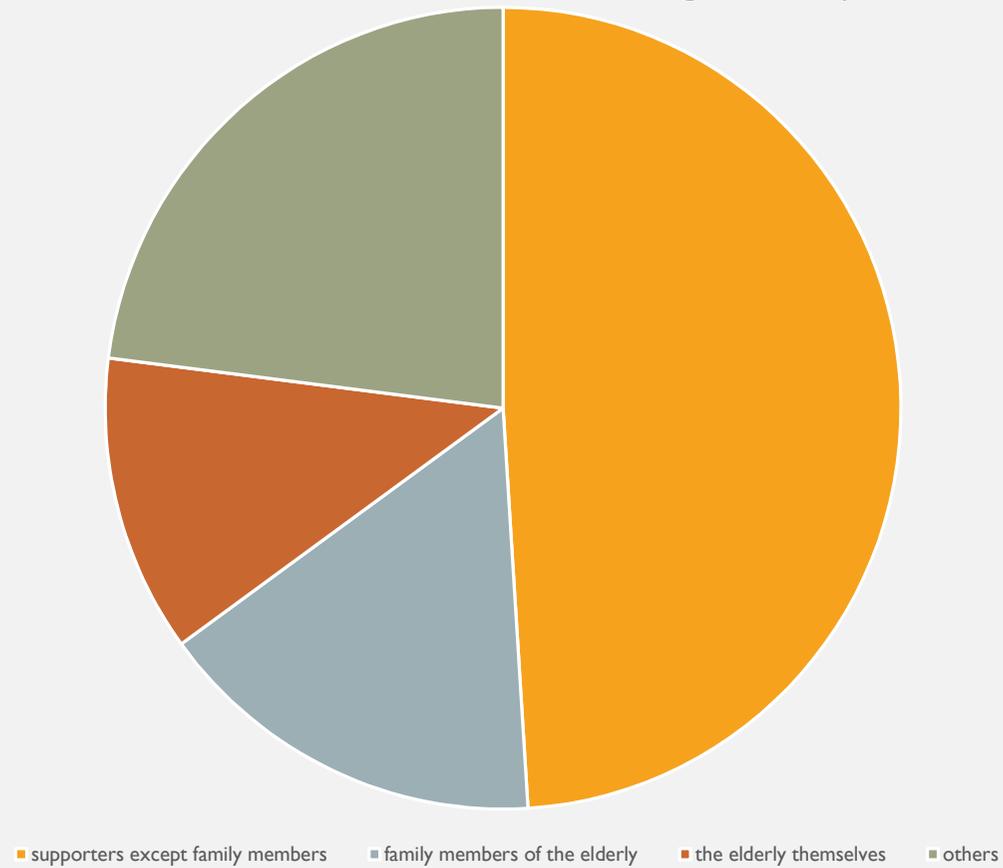
# REASONS FOR NOT CONSULTING OTHERS

Reasons for Not Consulting Others (%) (n = 296)



## PROCESS THAT PROBLEMS BECAME TANGIBLE

Process that Problems Became Tangible (n = 1,269)



# USE OF LAWYERS

- FLOW LEADING TO CONSULTATION BY LAWYERS -

broad range of supporters

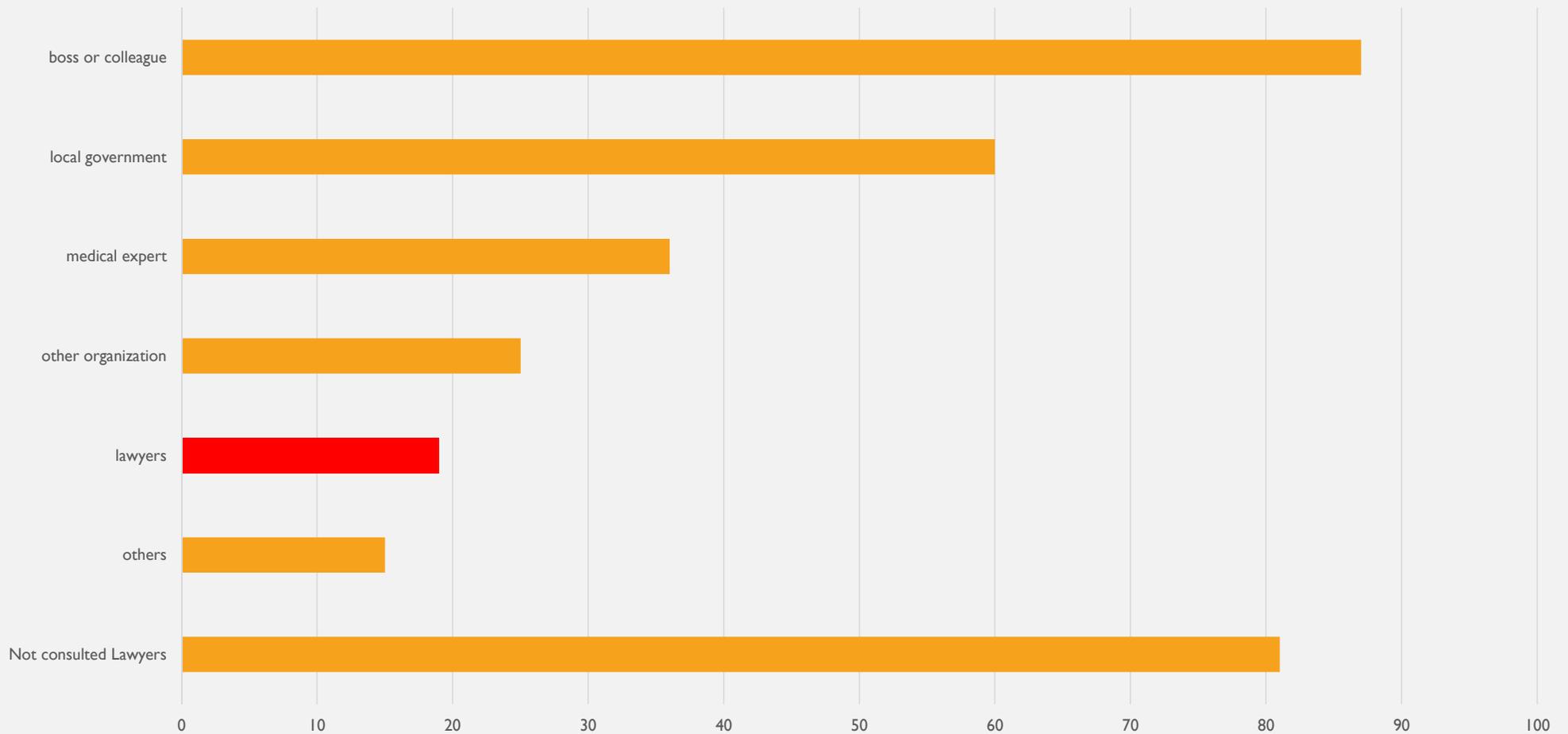
local elderly care  
management centres

lawyers



# USE OF LAWYERS

Sources of advice social caseworkers sought for (%) (n = 1,243)



## REASONS SOCIAL CASEWORKERS DON'T CONSULT LAWYERS

- Caseworkers often pointed out in in-depth interview that they have **tendency to consult lawyers at late stage after damage was done** and **sometimes after becoming too late**.
- Caseworkers frequently mentioned that it would be necessary to set up some access point that caseworkers can feel free to consult with experienced lawyer who is easy to talk to without cost or with affordable cost from the early phase.

## CONCLUSION

### - UNMET LEGAL NEEDS OF THE ELDERLY PEOPLE -

- In this survey, the assisted elderly people were not aware of the problems in most of the cases.
- Even the elderly people who were aware of the problems were not likely to consult with others.
- Problems were most likely to become tangible via supporters such as care manager, home caregiver, caregiver at nursing-care centre etc.
- Even after supporters brought the problem into social caseworkers at local elderly care management centre, caseworkers were likely to consult with non-legal professionals.
- Caseworkers often pointed out in in-depth interview that they have tendency to consult lawyers at late stage after damage was done.
- Therefore, this survey demonstrated that that legal needs of the elderly people have a tendency not to become tangible to lawyers and there is a huge amount of unmet legal needs behind the elderly people.