

# ABUSE AND NEGLECT OF OLDER PERSONS

Safe Community Coalition of Brockville & District

**PRESENTED BY:** *"Partners for Safer & Healthier Communities"*

**VON, Lanark, Leeds & Grenville, Brockville Police Service, OPP  
Leeds, OPP Grenville, OPP Lanark, Gananoque Police Service and  
Ministry of Community Safety & Correctional Services**



With appreciation to:  
Halton Elder Abuse  
Prevention Committee

# ALL ABOUT ELDER ABUSE

- ✓ Types of Abuse/Neglect
- ✓ Indicators
- ✓ Possible charges
- ✓ Failing to Report
- ✓ Police Role

# DEFINITION

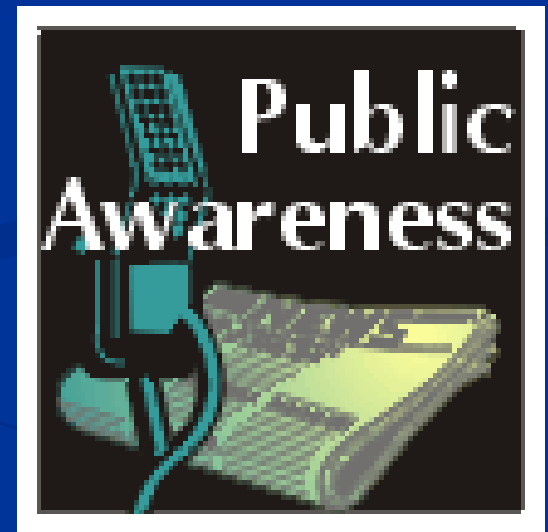
*What is abuse and neglect of older persons?*



- Abuse and neglect of older persons can be defined as any action or inaction by ANY person, which causes harm, threatens harm or jeopardizes the health of an older person.
- It is complex, under-reported and a growing community concern.

# WHY THE CONCERN NOW?

- Effects of Abuse and Neglect on Older Persons
- Residential choices
- Demographics

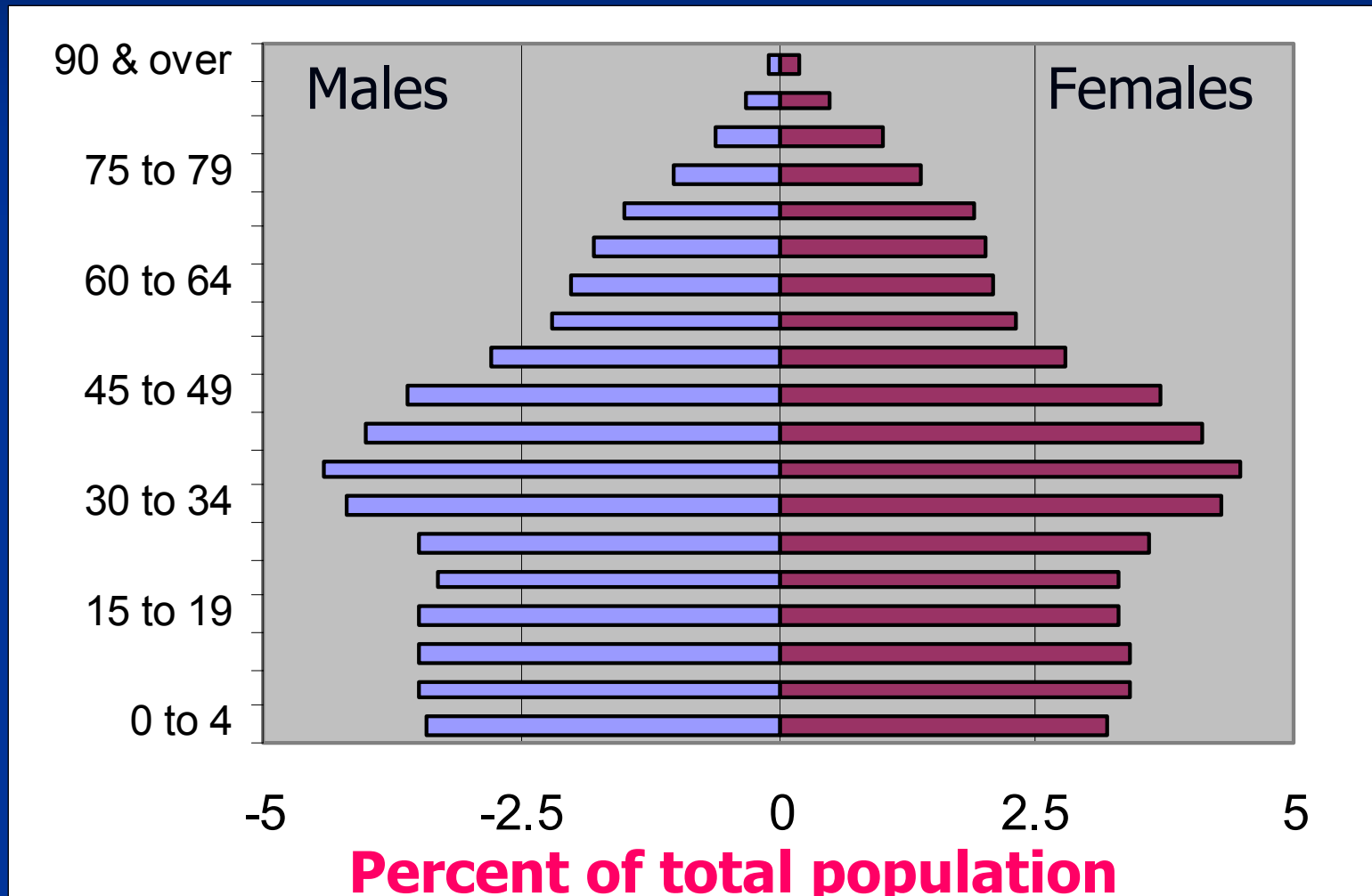


# DEMOGRAPHICS

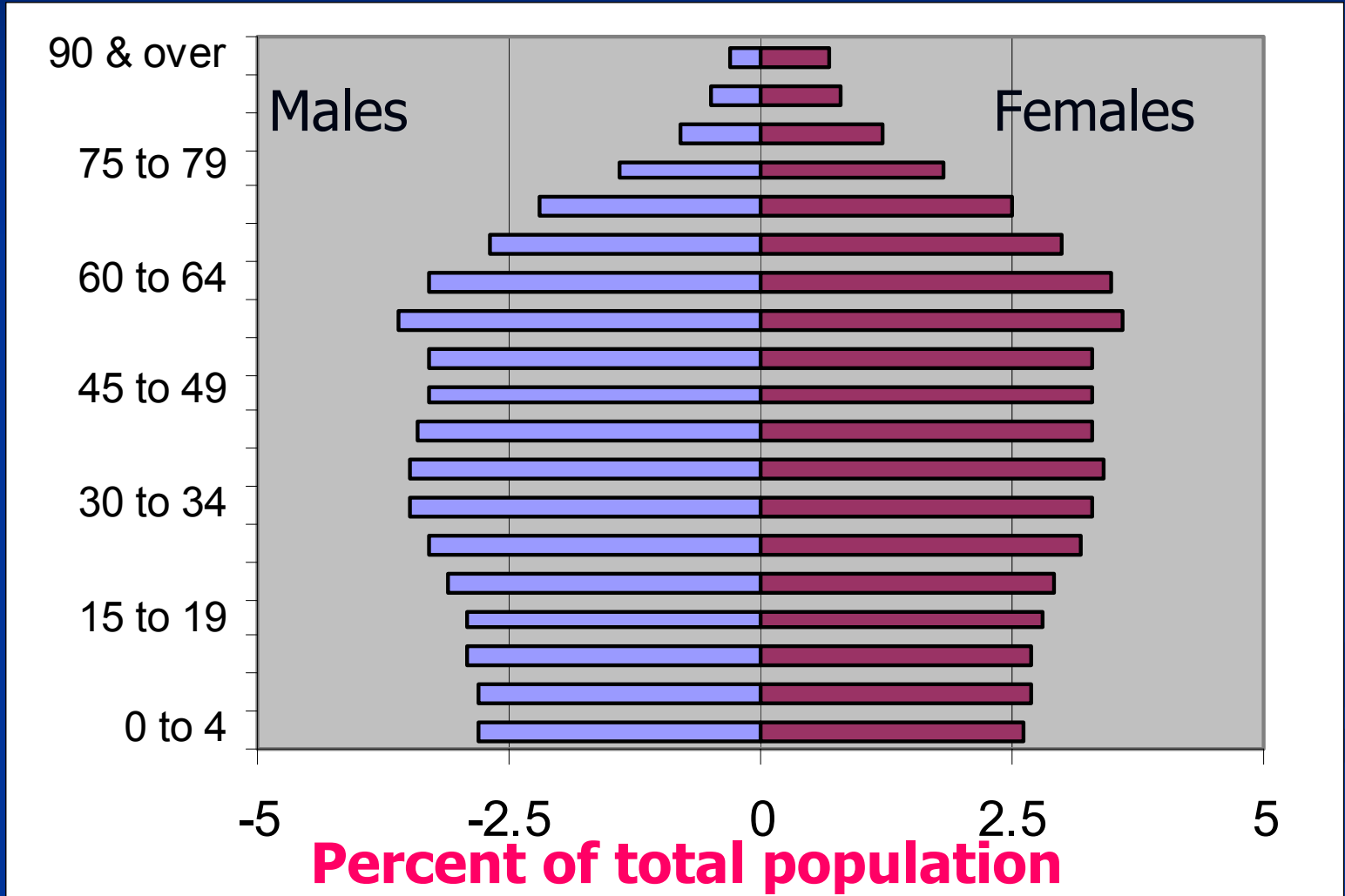
	<u>1996</u>	<u>2021</u>
■ CANADA	3.5M	6.9M
■ ONTARIO	1.5M	3.1M

- INCREASINGLY, CRIMES ARE TARGETED AT ELDERLY AND VULNERABLE PERSONS

# Canadian Population by Age and Sex - 1996



# Projected Canadian Population by Age and Sex - by 2021



# TYPES OF ABUSE

- Physical Abuse
  - Financial Abuse
    - Psychological Abuse
      - Neglect

# PHYSICAL ABUSE

*Any act of violence causing injury or physical discomfort*

- Assault– Slapping, pinching, shoving, punching, hitting or any intentional rough handling
- Sexual Assault
- Unlawful Confinement
- Over / under medication

# PHYSICAL

# ABUSE INDICATORS

- Unexplained injuries
- Untreated medical problems
- History of “accidents”
- Signs of over / under medication
- Signs of sexual assault
- Malnourishment / dehydration

# POSSIBLE OFFENCES

- Assault
- Bodily Harm
- Sexual Assault
- Forcible Confinement
- Homicide/Manslaughter



# FINANCIAL ABUSE



*The theft or exploitation of a person's money, property or assets*

- Theft
- Fraud or Forgery
- Exploitation of money, property or assets
- Misuse of Power of Attorney

# **FINANCIAL** **INDICATORS**

- Standard of living not in keeping with the older person's income or assets
- Unusual or inappropriate activity in bank accounts
- Theft of property
- Forged signatures on cheque

# **MORE INDICATORS**

- Forcing an older person to sign over legal documents (i.e. Wills, Powers of Attorney)
- Withholding of funds (pension cheques) overdue bills
- Over-charging for products or services
- Theft by person holding Power of Attorney

# POSSIBLE OFFENCES

- Fraud
- Forgery
- Theft
- Theft by person holding Power of Attorney
- Extortion

# POSSIBLE OFFENCES

- Consumer Protection Act
- Business Practices Act



# FRAUD

- Section 380 CC has recently been amended to include the offence of:

“Defrauding the public or any person, whether ascertained or not, of any property, money or valuable security  
**OR ANY SERVICE.**”

# PSYCHOLOGICAL ABUSE

*Any action or comment that may cause emotional anguish, fear or diminish the self-esteem or dignity of the older person*

# **PSYCHOLOGICAL INDICATORS**

- Fear
- Withdrawal
- Depression
- Helplessness
- Agitation / Anger

# POSSIBLE OFFENCES

- Intimidation
- Uttering Threats
- Criminal Harassment
- Harassing Phone calls



# TYPES OF NEGLECT

- Active Neglect
  - Passive Neglect
    - Self Neglect

# NEGLECT

## Active Neglect:

*Intentional failure of a care-giver to fulfill his/her care-giving responsibilities*

## Passive Neglect:

*Unintentional failure of a care-giver to fulfill his/her care-giving responsibilities*

## Self Neglect:

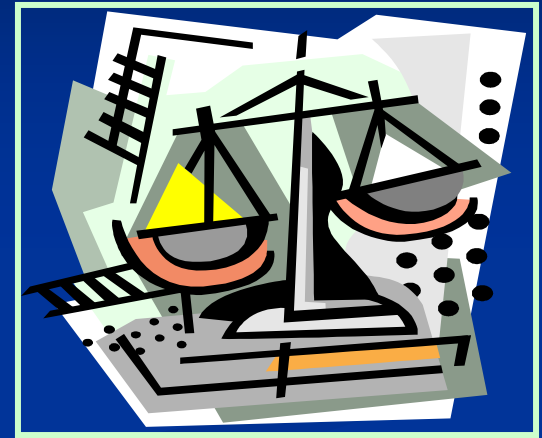
*The older person not providing for his/her own essential needs*

# **NEGLECT** **INDICATORS**

- Malnourishment or dehydration
- Medical abnormalities
- Inappropriate / dirty clothing
- Unkempt appearance
- Signs of infrequent bathing

# POSSIBLE OFFENCES

- Criminal Negligence
- Failure to Provide Necessities of Life

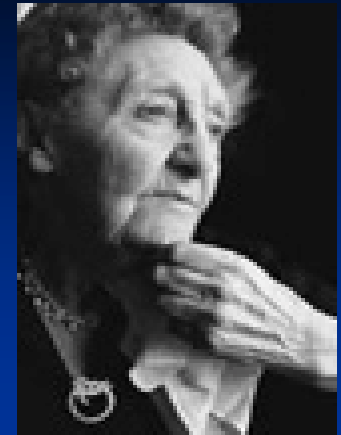


# OTHER RELEVANT LEGISLATION

- Family Law Act
- Mental Health Act
- Substitute Decisions Act
- Tenant Protection Act
- Business Practices Act



# PROFILES OF VICTIMS



The Victim may:

- Be widowed or living alone
- Have difficult personality traits
- Some degree of physical impairment or mental incapacity
- Be an abusive parent
- Be under the control or influence of abuser

# PROFILES OF ABUSERS

- May be STRANGERS
- May have substance abuse problems
- May have a history of mental illness
- May have emotional problems
- May be dependent on the older person for assistance
- May be resentful of care-giving role
- May be exhausted from care-giving role

# WHY DOES IT OCCUR?

- Cycle of family violence
- Dependency
- Mental health problems
- Financial problems
- Substance abuse
- Institutional conditions
- Care-giving stressors  
("Sandwich generation")

# WHY DOES IT OCCUR?

- Ageism – lack of knowledge and understanding of the aging process
- Isolation – social and residential
- Trend of keeping older persons in their community
- Lack of community responses/supports
- Cultural and/or language barriers

# WHY DO VICTIMS FAIL TO REPORT?

- Non-recognition, denial or disbelief that the incident has occurred
- Fear – reprisal , abandonment, isolation or institutionalization
- Under complete control of the abuser for food, shelter, clothing
- Love of abuser

# WHY DO VICTIMS FAIL TO REPORT?

- Shame, embarrassment, guilt, low self-esteem, confusion
- Do not know their rights
- Multi-cultural issues (customs, beliefs, language barriers)
- Distrust of the police (fear of authority)

# WHY DO CAREGIVERS FAIL TO REPORT?

- Failure to identify abuse
- Lack of awareness of community resources and support
- “Sanctity of the Family”

# WHY DO CAREGIVERS FAIL TO REPORT?

- Fear – reprisal, rejection, litigation
- Barriers of confidentiality
- Lack of mandatory reporting legislation
- Attitudes – “Not my responsibility”

# **NEEDS OF THE VICTIM**

- Stop the abuse
- Safety, shelter and financial resources
- Home support services to increase independence
- Greater links to the community, support and counseling
- Information about the justice system

# **POSSIBLE INTERVENTIONS**

- Education
- Safety plans
- Home visits
- In-depth assessment / interview
- Contact with other family and friends
- Charges under applicable legislation

# **ROLE OF THE POLICE**

- On arrival, ensure victim's safety
- Once situation is stabilized, conduct a thorough investigation
- Photograph where appropriate, scene and / or trauma to the victim
- Where appropriate, arrest suspect and release with effective conditions to enhance safety for the victim
- Develop a victim's Safety Plan

# **ROLE OF THE POLICE**

## **Sensitivity and Listening**

- Active Listening is Vital
- Understandable Language
- Body Language
- Body Positioning
- Take your time!

# ROLE OF THE POLICE

- If insufficient evidence exists, consider alternatives to resolving the problem
- Before leaving the scene, ensure victim has necessary referral information and supports

# **RESPONSIBILITY** **TO VICTIM**

- Ensure victim knows who you are
- If a charge is laid, explain the judicial process so the victim is aware
- Keep the victim updated
- Explain the Criminal Court process
- If the victim is “at risk”, police must ensure Community Supports and Safety Plan are in place

# RESOURCES AVAILABLE

Ontario Community Support Association	Referral 1 800 267 – 6272
Community Care Access Centre	Local 1 800 810–0000 or 905 639–5228
Office of the Public Guardian and Trustee	Intake 1 800 366 – 0335
Ontario Ministry of Consumer and Commercial Relations	Intake 1 800 268 – 1142
Advocacy Centre for the Elderly	Intake 1 – 416 – 598 – 2656

# SUMMARY

- Abuse of seniors and other vulnerable adults in our communities, occurs on a daily basis.
- Police, health care, community service agencies, government and citizens in every community must work together to identify and reduce the opportunity for and the impact of Elder Abuse.
- Those who stand by without reporting or intervening in some way are giving permission for the abuse to continue.

# **Thank you !**

**FOR YOUR**

**ATTENDANCE AND ATTENTION**

**QUESTIONS ?**



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