

Breaking the Silence

An Ad Hoc Newsletter of Family Service Association of Toronto's
Elder Abuse Consultation Team

Issue 3

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Elder Abuse Consultation Team Celebrates Four Years of Operation

This multidisciplinary team of dedicated professionals meets monthly to brainstorm with those working in the field on cases of abuse they are encountering amongst their older clients. Since its inception in January 2002, the team has reviewed 52 cases of abuse. The team has also accomplished a number of milestones, including:

- ◆ Publication of two newsletters. (Back editions are available at www.fsatoronto.com/programs/seniors/resources.html).
- ◆ Publication of the first known clinical best practice manual on the abuse of older persons in Canada. (Order forms are available at www.fsatoronto.com/seniors/manual.html).
- ◆ Training provided to numerous seniors' groups and organizations on a variety of topics.
- ◆ Telephone consultations on specific situations of abuse were provided to professionals working in the field and concerned individuals.

- ◆ Papers on the work of the team have been presented at a number of conferences, including the Canadian Association of Gerontology, the Ontario Community Support Association and the Ontario Elder Abuse Conferences.

In 2003, Family Service Association of Toronto joined in partnership with Education Wife Assault to address the issue of abuse of older women. This project was borne out of both organizations' recognition that the violence against women and seniors sectors shared many similar concerns when working with abused persons, but had not developed a forum for sharing these issues and approaches. A number of initiatives have been undertaken as a result of this including:

- ◆ Weaving the Web conference in January 2004. (report available at www.womanabuseprevention.com)
- ◆ Publication of a special issue paper on older woman abuse (available at www.womanabuseprevention.com.)
- ◆ Development of a partnership with Jill Hightower and Greta Smith from British Columbia to adapt a curriculum on older woman abuse to the Ontario context
- ◆ Translation of a pamphlet entitled "Are You Afraid in Your Own Home: An Information Brochure for Older Women" into Chinese, Punjabi, French, Spanish, Farsi and Tamil (available March 2006).
- ◆ A training program on older woman abuse delivered to 15 networks of persons who work in the violence against women and seniors sectors.
- ◆ Publication of a paper on older woman abuse titled "I Want to Be Free" that brings together the voices of women survivors, service providers, activists and selected research in this area (to be released in winter 2006).

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FAMILY SERVICE ASSOCIATION
OF TORONTO
For People. For Change.

Elder Abuse Awareness Day

October 19, 2005 was Elder Abuse Awareness Day in Ontario. A number of activities occurred across the province to signify this important date. In Toronto, the Ontario Network for the Prevention of Elder Abuse (ONPEA) held a ceremony at the Palmerston Library to commemorate Elder Abuse Awareness Day. At the ceremony, Lisa Manuel of FSA Toronto led a poignant candle-light vigil, with the following:

"I stand with you today to mark provincial Elder Abuse Awareness Day, to bear witness to the abuses perpetrated against older persons of this province. Often when I mention the topic of elder abuse people simply can not believe that others choose to abuse and violate older persons. Sadly this happens, in many ways, in many places, each and every day.

Older people who live in private homes, in seniors apartments, in care facilities, and on the street can all experience abuse. Chances are very high that someone in your immediate neighbourhood is being affected by some type of abuse.

It does not matter how rich or poor they are, what part of the world they come from, whether they worship at a temple, in a synagogue, at a church or pay homage to the spirits or their own god. Abuse knows no spiritual, cultural or financial boundaries.

People who spent their lives working in the social services, as teachers, as bankers, as police officers, as business people, as stay at home moms, as construction and trade workers or any other occupation you can think of. They are all at equal risk of being abused in their later years.

In older life, while it is still much more likely that older women will be abused, older men also experience this as well.

Those who abuse older people are those who are known to them—their sons, daughters, sons-in-laws, daughters-in-laws, spouse, partner, caregiver, grandchildren, friends and neighbours who have become like family as their networks shrink over time.

Today we stop to take stock, to think about the way we value (or more pointedly) do not value older people in our society.

In a world where so much value is put on productivity, on the ability to bring in the all mighty dollar, we tend collectively, as a society, to forget about all the amazing contributions that older people have made.



This city, this province and this country is what it is today thanks to the hard work and toil of our older citizens. Today's generation of older people are the ones who defended our country in the great wars, who helped to build up the industrial engine of this country and who gave shape to the great social programs of the twentieth century. Somehow we conveniently forget this as people get older. When we forget it gets easier to turn a blind eye to other violations, to people who steal money from elders, who hit, push and kick older people, who call them names and threaten to send them to the nursing home or send them "back home", who fail to respond to basic needs in a timely way, wherever that may be.

On this day we stop to think about what abuse of older persons means to us, to raise awareness of this issue, to break the silence and secrecy. We can and must work together to raise awareness, to collectively work to honour the wisdom of older adults and to create places of safety in which older people can grow older with their dignity intact.

Thank you for helping to break the silence."

After this was read participants lit a candle and held a minute of silence for those older persons who are being abused on an hourly, daily, weekly, monthly and yearly basis.

Spotlight on Financial Elder Abuse

Financial or economic abuse is the theft of money or property. It can also include the misuse of money or property, withholding funds or fraud.

Fraud is generally, but not always, perpetrated by a stranger, whereas financial abuse is perpetrated by someone known to the older person.

Financial abuse may be manifested in many forms, including but not limited to:

- ◆ Unexplained or sudden withdrawal of money from an older person's account(s).
- ◆ Refusal to spend money without agreement of a family member.
- ◆ Signatures on cheques and other documents that do not resemble the older person's signature.
- ◆ Unexplained disappearance of older person's possessions.
- ◆ Selling property without permission.
- ◆ Opening mail without permission.
- ◆ Charging excessively for goods or services.
- ◆ Change in spending patterns, such as buying items he or she doesn't need and can't use, or shopping at stores that the older person would not normally go to.

A person may experience some of the following signs as a result of being financially abused:

- ◆ Not being allowed to make their own financial decisions.
- ◆ Not feeling they have choices on things such as sharing their home or car or babysitting.
- ◆ Being charged excessive amounts of money for services performed by the perpetrator such as grass cutting, snow shovelling, repairs around the house.
- ◆ Being pressured to loan money to a relative or friend without a written agreement for repayment.
- ◆ Frequent requests for small amounts of money.
- ◆ Family members moving into an older person's home without prior agreement on shared costs.
- ◆ Older person providing a down payment on a home that everyone will live in without a written agreement with respect to who pays for what.
- ◆ Taking money or cashing pension cheques without permission.

- ◆ Pressuring an older person to sign over their house or other property.

When Does Financial Abuse Occur?

Financial abuse can happen when:

- ◆ The perpetrator really wants or needs money, whether the need exists because of greed, unemployment or debt.
- ◆ The perpetrator may stand to inherit and feel justified in taking what they believe is "almost" or "rightfully" theirs.
- ◆ The perpetrator has the opportunity to take advantage of the older person.
- ◆ The perpetrator may feel a sense of "entitlement", or want to prevent other family members from inheriting assets from the elder.

Financial abuse is a pattern rather than a single event. It often happens over a long period of time and may not be detected until an older person's funds are severely depleted.

Criminal Code Offenses

No form of financial abuse is acceptable. Several actions committed by perpetrators are Criminal Code Offenses (sections of the code are indicated in parentheses). Charges that can be laid include:

- ◆ Theft (s.322)
- ◆ Forgery (s.366)
- ◆ Theft by a person holding a Power of Attorney (s.331)
- ◆ Fraud (s.380)
- ◆ Stopping mail with intent (s.345)
- ◆ Extortion (s.346)

Reporting to the Office of the Public Guardian and Trustee

To make an allegation that a person is mentally incapable, that they are at risk of suffering serious personal or financial harm, and that prompt action is needed to prevent the harm from occurring or continuing to occur, or to discuss concerns about the conduct of an attorney acting under a power of attorney for personal care or continuing power of attorney for property, call the intake unit of the Office of the Public Guardian and Trustee at 416-327-6348 or 1-800-366-0335 to consult on a situation or report it.

Spotlight on Financial Elder Abuse

Case Example

Ms. W owns her own single dwelling home with both of her two sons living in the home. One of her sons lives in the basement and has shown numerous symptoms of suffering from alcoholism. He is currently waiting for court sentencing on a number of charges, including driving under the influence and has had his vehicle apprehended. Although one condition of a previous sentence was to seek treatment, and he claims to be attending treatment groups, he is still coming home smelling of alcohol on many occasions.

Due to health concerns related to his alcoholism, this son has not been working for at least two years. He has been verbally abusive and caused harm to their dwelling and Ms. W has shown fear for her safety in the home.

In order to sustain his addiction, this son demands money from his mother, and although she tries to dissuade him, out of fear she gives in to his demands. Ms. W is becoming more and more isolated as time goes on. Few people are aware, and fewer are encouraging her to take action. She loves her son and does not want to take action against him; however, she does not want to live in fear and financially maintain his addiction.

Potential Intervention Options

(Note: these options speak to more than just the case example above.)

- ◆ Encouraging the older person to speak with a legal representative.
- ◆ If a signature is being forged on pension cheques, contact the Canada Pension Plan Forgery Unit at 1-800-277-9914 with the permission of the older person. This is best done with the person so he or she can give verbal consent to talk to the person helping with the case, or have the older person do it alone.
- ◆ Using reality-based therapy (i.e. if you do not pay your rent, you will be evicted, and the implications of this are...).
- ◆ Arrange with the client to have bills direct debited out of a bank account that the perpetrator can not access.

- ◆ Work with the older person to open a separate bank account, preferably at a different bank branch or different banking institution.
- ◆ Work with the client to contact Pension authorities to have pension cheques directly deposited or sent to a new account.
- ◆ Help the older person to understand that people make choices to take advantage of others and they do not do this because they are ill, sick, addicted or poor.
- ◆ Provide education to an older person that a power of attorney for property can be exercised as soon as it is signed unless the grantor puts restrictions into the power of attorney document (Note: This is different from a power of attorney for personal care which can only be activated after the grantor has been determined not capable of making a specific personal care decision).
- ◆ Encourage the older person to cancel any bank cards or credit cards the perpetrator may have access to and establish a new bank card with a secret access code that is not shared with the perpetrator.

Why are older people attractive targets?

- ◆ Many older people do not realize the value of their assets (particularly homes that have appreciated markedly).
- ◆ Perpetrators may assume that older people will not survive long enough to follow through on legal interventions, or that they will not make convincing witnesses.
- ◆ Some older people are unsophisticated about financial matters.
- ◆ Advances in technology have made managing finances more complicated for some older people.
- ◆ Older people are more likely to have contact with others to assist them with activities of daily living such as finances and home maintenance. These people may have access to homes and assets, and may exercise significant influence over the older person.

The Realities of Financial Abuse for Sponsored Immigrants

Older persons who are sponsored may experience a variety of issues, including:

- ◆ Culture shock.
- ◆ Social isolation.
- ◆ Loss of social status.
- ◆ Lack of income (Canada Pension Plan and Old Age Security are time sensitive and older persons who are sponsored must typically rely on the person who sponsors them for ten years).
- ◆ Language barriers can force the sponsored individual into a position of complete or almost complete dependency on the sponsor.
- ◆ Language barriers can also prevent access to and use of information and services.
- ◆ Experiencing societal, gender and age roles different from that which they are accustomed to.
- ◆ Being alone once no longer needed for child care.

Concerns of sponsored seniors who are being financially abused may include:

- ◆ Potential mistrust of the judicial system.
- ◆ Lack of confidence in the banking system due to upheaval in financial markets or corruption in financial institutions in their home country.
- ◆ Do not want themselves or their sponsor to be deported.
- ◆ Financially dependent on sponsor.
- ◆ Often sponsored to aid with child care and they do not want to abandon their grandchildren.
- ◆ Uneducated concerning Canadian laws.
- ◆ Services not being culturally sensitive.
- ◆ The fact they have few or no assets “back home” and can’t return.
- ◆ There are a lack of interpretative services available for older persons which makes “telling their story” difficult if they do find someone who may be able to help.

Preventing Financial Abuse

Everyone in society has a responsibility to work to prevent financial abuse.

Suggestions for Older Adults

- ◆ Be a part of a group of friends who stay in touch regularly (isolation is one the largest contributors to abuse).
- ◆ Learn the signs of financial abuse.
- ◆ Keep track of all property, bank accounts and belongings.
- ◆ Keep money in a bank or financial institution, not at home.
- ◆ Have pension cheques deposited directly into a bank account.
- ◆ Write a plan for repaying money before lending it to a relative or friend.
- ◆ Prepare a will with a lawyer's help, review it periodically, and change it only after careful thought.
- ◆ Talk to a lawyer about powers of attorney, and about what will happen if he or she cannot manage alone.
- ◆ Ask a trusted friend or family member to review all papers before signing.

Suggestions for Concerned Citizens

- ◆ Spread the word about the problem.
- ◆ Advocate for needed policy and reform.
- ◆ Volunteer to provide critical assistance to vulnerable persons and the agencies that serve them.
- ◆ Reach out to vulnerable neighbours, friends, or family members and educate them on risk factors and how to prevent financial abuse.
- ◆ Learn more about the problem and services that can help.
- ◆ Get involved by joining a coalition, spreading the word, advocating on behalf of the issue and volunteering to work with an older person.
- ◆ Talk to an older adult about future plans in case he or she should become unable to manage finances alone.

Elder Abuse Consultation Team Meeting Dates for 2006

Friday, January 27
Friday, February 17
Friday, March 24
Friday, April 21
Friday, May 26
Friday, June 16
Friday, July 14
Friday, August 18
Friday, September 15
Friday, October 20
Friday, November 17
Friday, December 15

If you wish to present at one of the Elder Abuse Consultation Team meetings, please contact Lisa Manuel at lisama@fsatoronto.com or 416-755-5565 ext. 422.

Resources and Helpful Websites

Family Service Association of Toronto
www.fsatoronto.com

Canadian Health Network
(Information on seniors issues and violence prevention)
www.canadian-health-network.ca

Advocacy Centre for the Elderly
www.advocacycentreelderly.org

Ontario Seniors' Secretariat Fact Sheets on Elder Abuse
www.citizenship.gov.on.ca/seniors/english/elderabuse.htm

The National Clearinghouse on Family Violence
www.hc-c.gc.ca/hppb/familyviolence./age_e.html

Assaulted Women's Helpline
www.awhl.org

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Seniors and Caregivers Support Services at Family Service Association of Toronto

We provide counselling and group work to abused older adults, family members or others who are concerned about the well-being of an older adult in their lives. Service is available to anyone living or working in Toronto. To make a referral or find out more about our work, contact our Service Access Unit at 416-595-9618.

Training on the Abuse of Older Adults

Family Service Association of Toronto provides custom designed training sessions on a variety of issues related to the abuse of older adults. Topics covered in the past include the basics of abuse, intervention options, how to respond to a revelation of abuse, protocol development, ethical issues and documentation. We have also developed a training program on older woman abuse.

Training is provided to organizations, teams, seniors group and other interested parties in the Toronto area. There is a fee for training provided to professional groups. Training is provided free of charge to seniors and caregivers.

If you are interested in a possible training session, contact Lisa Manuel at lisama@fsatoronto.com or 416-755-5565 ext. 422.

Financial support for the work of the Elder Abuse Consultation Team

Currently the EACT has no funding to support its work; however, we are committed to keeping the team together. If you are interested in making a personal donation or providing corporate support please contact Alec Kaminsky, Director of Marketing and Development, at 416-595-9230 ext. 289 or alecka@fsatoronto.com.

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