



Community Legal Information Association of PEI

Preventing Abuse and Neglect of Older Adults



902-892-0853 or 1-800-240-9798

www.cliapei.ca cia@cliapei.ca

This booklet is part of a series called “**Putting Your Affairs in Order At Any Age**”. Publications in this series include:

- Putting Your Affairs in Order At Any Age
- Wills
- Powers of Attorney
- Consent to Treatment
- Health Care Directives
- Moving to a Community Care Facility or Nursing Home
- New Relationships: Legal and Safety Concerns
- Preventing Abuse and Neglect of Older Adults
- You and Your Grandchildren

All of these publications can be found at www.cliapei.ca or can be ordered by calling Community Legal Information Association (CLIA) at 892-0853 or 1-800-240-9798. To view the acts mentioned in these booklets, go to www.gov.pe.ca, click on “Government”, “Supreme Court” and then click on “Statutes”. A list of the acts will come up in alphabetical order. You can also order paper copies from Island Information Service at 368-4000 or 1-800-236-5196. There is a small fee for paper copies.

We gratefully acknowledge that some of the written content of this booklet is adapted, with permission, from the publication, “Elder Abuse: The Hidden Crime” by the Advocacy Centre for the Elderly (ACE) and Community Legal Education Ontario/Éducation juridique communautaire Ontario (CLEO), October 2008.

Preventing Abuse and Neglect of Older Adults

Prevention Tips for You

- Plan for your future now while you are still healthy and independent
- Use the CLIA series, “Putting Your Affairs in Order At Any Age”
- Keep your home secure and keep a record of your possessions
- Stay involved with your community and friends
- Ask for help when you need it
- Check the Phonebusters website for previous and current scams: www.phonebusters.com

Prevention Tips for Families and Caregivers

- Help your aging parent or friend by using the CLIA series, “Putting Your Affairs in Order At Any Age”
- Make decisions that are respectful and considerate of the older person
- Be honest with yourself about what you can do and when you need help
- Be prepared for caregiver stress and plan for respite care
- Do a safety check of the home. Is the bathroom accessible? Are there things to trip on?
- Learn about community resources available for older people

For more information: National Clearinghouse on Family Violence www.hc.sc.gc.ca/nc-cn or 1-800-561-5643.

Preventing Abuse and Neglect of Older Adults

The following stories are examples of situations people may experience in PEI. At the end of the booklet we explain how the information helped.

Marion has recently moved into a nursing home. It is the first time she has been separated from her husband. One night, a male resident with dementia gets into bed with her. She is very upset and frightened by the experience. The staff considers the man harmless and takes him back to his room. They assume Marion's agitation is due to her medical condition. Marion's family is very concerned that she is not safe in the nursing home.

Peter is a veteran and a residential school survivor. He has recently been diagnosed with early dementia. Now he has a hard time remembering past years. He received his residential school compensation check recently and put it in the bank. John, Peter's brother, told Peter that he loaned him money a few years ago and now he wants it back. Peter doesn't think this is true. John is becoming threatening and abusive. He tells Peter that if he doesn't have money for him by tomorrow he will beat him up. Roger is Peter's friend and neighbour. He becomes concerned and convinces Peter to tell him what is going on.

Elizabeth has been married to John for over thirty years. Now that the children have moved away, Elizabeth rarely leaves their home. Robyn, a seniors' safety worker, has tried to drop by to see how she is. Elizabeth opens the door only a little bit and tries to get Robyn to leave. On one visit Robyn notices that Elizabeth has bruises on her arm and asks if she is alright. Elizabeth tells her it is nothing that she hasn't been dealing with for years. Robyn wants to help.

Harry has lived alone on the family farm for many years. He values his independence and will not consider any other living situation. One day, George, the volunteer from Meals on Wheels, notices that Harry looks particularly unwell. He stays a little longer than usual to see if he needs help. George has a chance to look in the kitchen. He sees that it is filthy and that Harry's pets have soiled the floor. He wants to find a way to help Harry.

This booklet is designed to give people like Marion, Peter, and others general information about the abuse and neglect of older adults. We'll meet them again at the end of this booklet.

What is abuse and neglect of older adults?

Abuse is any action or inaction that harms the health and well-being of a person. Abuse of seniors is often called elder abuse. It can include physical, sexual, emotional, psychological, financial and verbal abuse, as well as neglect and self-neglect.

A person can be abused by:

- a family member
- a friend
- a paid caregiver
- a dating partner
- someone the older person depends on for basic needs
- staff in hospitals or group residential settings, such as community care facilities, private and public nursing homes, or seniors housing
- a person in a position of trust



Someone who abuses an older person usually has control or influence over the person. The victim often knows and trusts their abuser. Some victims of abuse may depend on the people who hurt them for food, shelter, personal care, companionship, or transportation. The abuse might include keeping older adults from friends, neighbours and family members. The abuse may be one incident or a lot of small incidents that, if seen alone, might not be thought of as abuse. **Abuse may be a criminal offense, depending on the circumstances.**

What are the types of abuse?



Physical Abuse is:

- any kind of physical assault, such as slapping, pushing, hitting or kicking
- forced confinement in a room, bed or chair
- causing pain
- handling roughly

Financial Abuse is:

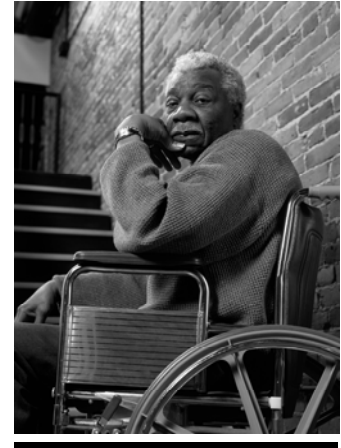
- forcing someone to sell property or possessions
- pressuring someone to buy things for others
- stealing someone's money, pension cheques, or possessions
- using someone's debit or credit cards without permission
- committing fraud or forgery against someone
- misusing someone's power of attorney or joint account



Scams can be:

- internet messages asking for personal information
- internet messages that appear to be from someone you know but are not

- phone calls from people pretending to be a family member or close friend needing emergency help
- people coming to the door suggesting you need work done to your house and offering to do it for money

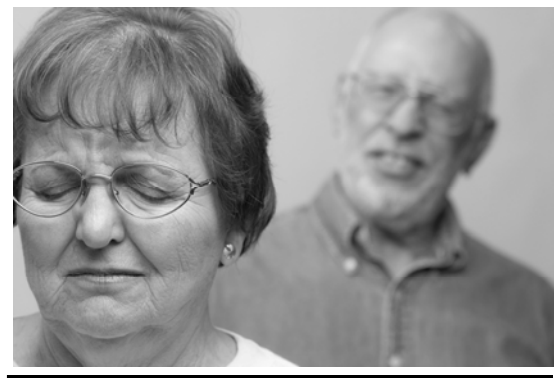


Sexual Abuse is:

- unwanted sexual comments or jokes
- being leered at, watched or recorded for a sexual purpose
- any unwanted sexual contact, from touching to intercourse
- forced or coerced sexual contact in a relationship or marriage

Emotional and Psychological Abuse is:

- yelling, name calling, intimidating, humiliating, insulting, frightening, threatening or ignoring an older person
- treating an older person like a child
- withholding visits from children or grandchildren
- bullying in a seniors residence, club or organization





Neglect is:

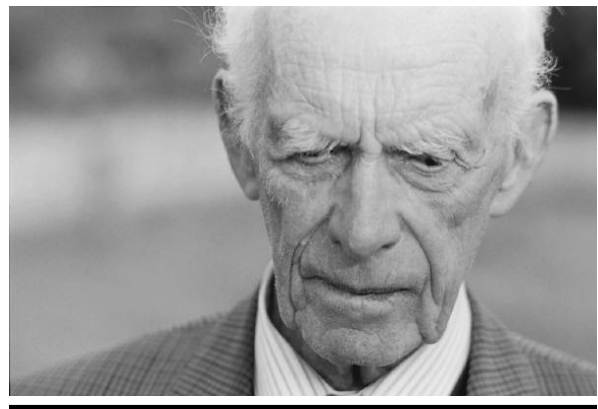
- failure to provide a safe, clean living environment with appropriate food, heat, clothing, medication and other necessary supplies
- deliberate failure to ensure a dependent person has companionship, social interaction, intellectual stimulation or other things they need

Self-Neglect:

Self-neglect occurs when a person refuses, delays, or is unable to arrange for his or her own care. Signs of self-neglect can be:

- lack of personal care and hygiene
- malnutrition
- unsafe or unclean living conditions
- drug abuse or refusal to take medications

People suffering from self-neglect are more likely to live alone. They can suffer from mental or physical illnesses. If a mentally competent older adult chooses to neglect themselves, people must respect this choice.



Dating Violence

You are in an abusive relationship if someone you are dating:

- is overly jealous and controlling
- keeps you from spending time with friends and family
- puts you down and calls you names
- slaps or pushes you around
- forces you to have sex
- threatens to commit suicide if you leave or break up with him or her



Though abuse can happen to any older person, women are at the greatest risk of serious physical harm. For information about relationships see the CLIA booklet, “New Relationships: Legal and Safety Concerns”.

Who are the victims of abuse?

Abuse and neglect can happen to anyone at any age, activity level, income or cultural background. It can happen to people who live alone, with family or in a community care facility or nursing home.

Most older adults who are being abused are mentally competent and able to make decisions for themselves. Most are capable of taking care of their health needs and do not need constant care.

What are the signs and symptoms of abuse?

An older person experiencing abuse or neglect may show any of the following signs and symptoms:

- depression, fear, anxiety, or lethargy
- unexplained physical injuries
- loss of weight
- dehydration
- fear of a caregiver
- low self-esteem
- untreated medical problems
- anxiety or agitation
- inappropriate clothing or clothing in disrepair
- poor hygiene, rashes, or pressure sores
- over-sedation



There are other signs of abuse. If money, jewellery, or personal items such as eyeglasses, hearing aids or dentures are missing without explanation, it may be because of abuse. While there may be other explanations for missing items, all signs should be taken seriously.

The older person may not show any of these signs or symptoms but, if you suspect something is wrong, it is a good idea to investigate further.

Why does abuse happen?

Abuse and neglect can happen because someone abuses the power and control they have over the older person. It is possible that the abuser may not understand that the way they are treating the older person is abusive.

Abuse may be more likely to happen when the family is going through a period of high stress, including the stress of looking after the older person. Alcohol and drug abuse may contribute to abusive behavior. Sometimes mental health problems can contribute as well.

Growing older can bring difficult times for many people. Health concerns, reduced income, or the death of a loved one can lead to unhappiness and can damage relationships with family and friends. In some cases, this can be a factor in abuse.



Abuse can be part of a cycle of violence in a family. It may be a continuation of violence that has been part of a relationship for many years. It also may be the result of a lifetime of exposure to abusive behavior. For example, the person who abuses the older family member may have been previously abused by that person. The abuse could be a form of getting even with the parent.

Staff in nursing homes, hospitals, group homes or community care facilities might also abuse or neglect residents. Staff may not be able to do their job properly. This could be because of lack of training, low pay, over-work, understaffing, frustration, poor health, or lack of supervision and mentoring. Staff could also have personal problems that affect the way they provide services to older people under their care.

There is no excuse for abuse! The personal circumstances or problems of the caregiver or family member do not excuse the abuse of an older person.

If you are a caregiver and feel overly stressed, you need to call someone for help and support. Call Home Care and Support:

West Prince: 902-859-8730

East Prince: 902-888-8440

Queens: 902-368-4790

Kings (Souris): 902-687-7096

Kings (Montague): 902-838-0786

The Alzheimer's Society at 628-2257 or 1-866-628-2257 has helpful services and programs.

Why is the abuse of older adults seldom reported?

Some victims of abuse do not report it because they:

- are afraid of what the abuser will do to them
- don't think anyone will believe them
- are afraid of being left alone
- have low self-esteem and feel responsible for the abuse
- are dependent on the person for some or all aspects of life
- have language or cultural differences that make it difficult to explain situations or access services
- are afraid they will be put in an institution or will have to leave their home
- are ashamed to tell anyone that a family member is abusing them
- don't think that any social agency can help them
- are afraid of being shunned by the rest of the family
- are afraid of being denied access to the grandchildren
- are afraid of what will happen to the abuser

Older adults may not realize they have the same rights as other people. They may not know of the services available to support their rights.

Sometimes family or friends do not report their suspicions of abuse because they:

- do not know who to call
- fear that the abuse may get worse
- are afraid they will have to resume care of the older person
- do not want to interfere or get involved
- do not know it is a crime
- fear they will damage relationships with other family members
- have been asked by the older person not to report it
- fear the abuser

Service providers may not report the abuse because they:

- feel that reporting would be a breach of confidentiality
- do not understand that assault, theft, or serious neglect is a crime
- may be afraid of the abuser and of what might happen
- may think the older person would not be able to testify in court
- may think the older person would deny the abuse is happening
- have been asked by the older person not to report it



There is an *Adult Protection Act* and program that protects vulnerable adults who are unable to protect themselves from abuse and neglect. People are encouraged to report the abuse of vulnerable adults. The identity of the person reporting the abuse is kept confidential under the *Act*. On PEI, it is not mandatory to report elder abuse.



Many victims of elder abuse are competent and capable of making decisions. If so, they are not considered vulnerable adults and the *Adult Protection Act* does not apply to them. Adults who are not considered vulnerable can access other services such as PEI Family Violence Prevention Services, Victim Services and the police. For phone numbers see page 26.

What do victims of abuse need?

Victims need the abuser to stop the abuse and neglect. They need safety, shelter and access to financial resources. They may need help with personal care so that they are not dependent on the abuser. They may need emotional support and counselling.

Most of all, they need intervention services, choices and a sense of control over their lives. Older adults need to be treated with dignity and respect.

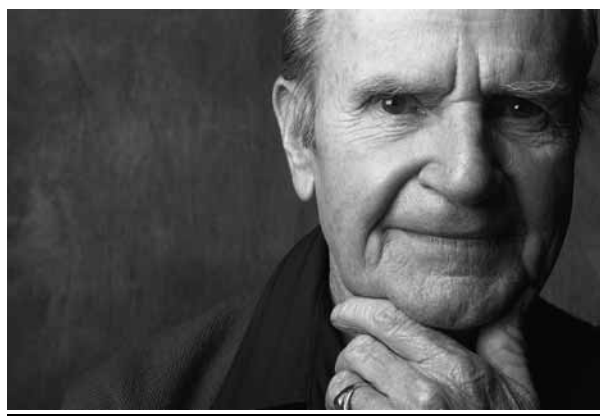
Victims of abuse also need information about the law and the criminal justice system. They may want to know what could happen to their abuser, especially if it is a family member.

In cases of self-neglect, seniors may be living in situations that are unhealthy and dangerous. As long as seniors are competent and not putting others in danger, they have the right to choose how they live and whether they want help or not.

Where can you get help?

If you have been abused or if you think someone else is being abused, tell someone. There are people who will help you look at options and help you decide what to do.

You can call the police, Victim Services, PEI Family Violence Prevention Services, or the PEI Rape & Sexual Assault Centre. If the person is a vulnerable adult and unable to protect him or herself, you can call Adult Protection Services. If the abuse is in a facility you can talk to the management.



For Aboriginal Islanders, there are resources available including Chief Mary Bernard Memorial Women's Shelter and Grandmother's House.

If you think a vulnerable adult is suffering from self-neglect, adult protection workers can assess the situation and see if there is a way to provide some help. In PEI, adult protection workers are located in Home Care offices. For contact information, see page 19.

What can Victim Services do?

Victim Services can help support you and your family. They can provide information about the law, the criminal justice system, and options for your protection. If the police become involved, they can provide information about your case and help you prepare for court. They can provide short-term counselling and emotional support, as well as referrals to other agencies. They provide assistance under the *Victims of Family Violence Act* and they help prepare victim impact statements.

Charlottetown	902-368-4582
Summerside	902-888-8218
	902-888-8217

What can PEI Family Violence Prevention Services do?

PEI Family Violence Prevention Services provides confidential support and information to victims of family and relationship violence. They operate Anderson House which is the provincial emergency shelter for abused women and children. They have a 24 hour, 7 days a week, confidential crisis and support phone line. Outreach services in all regions of PEI provide information and ongoing support to victims of family violence. Older women are welcome and there is an accessible unit at Anderson House. All services are free of charge and you do not need to bring anything with you to Anderson House.

Outreach workers with this organization can help support you if you choose not to go to Anderson House.

Anderson House	902-892-0960 1-800-240-9894 (toll free)
Queen's County Outreach	902-566-1480
Eastern PEI Outreach	902-838-0795
East Prince Outreach	902-436-0517
West Prince Outreach	902-859-8849
Website	www.fvps.ca

What can adult protection workers do?

Adult protection workers can provide assistance to vulnerable adults. Vulnerable adults are those who are unable to protect themselves from abuse and neglect. Adult protection is a confidential service. They provide information and they will intervene if it is in the best interests of the adult. Anyone can make a confidential referral to Adult Protection Services.

West Prince	902-859-8730
East Prince	902-888-8440
Queens	902-368-4790
Kings (Souris)	902-687-7096
Kings (Montague)	902-838-0786



What can Chief Mary Bernard Memorial Women's Shelter do?

This is a shelter on Lennox Island for women in distress, for women without housing or for young mothers who need extra support. Shelter residents have access to employment services, parenting and life skills programs, and the Lennox Island Health Centre. Native and non-native women are welcome.

902-831-2332

What can the PEI Association for Newcomers to Canada (PEIANC) do?

The PEIANC offers a range of programs, services and resources to newcomers and the wider community. The association helps newcomers integrate into Canadian and Island society, provides life skills training, as well as employment services, and assists in a number of other different areas. The staff advocates for clients and works to provide newcomers with information, support and guidance.



902-628-6009
www.peianc.com
info@peianc.com

What can the police do?

If you have been abused, or if you think someone else is being abused, tell the police. Even if you think the abuse was not serious, calling the police is an important part of protecting yourself or of being a good friend or neighbour. Telling the police about a crime may prevent future crimes. If you wish to remain anonymous, call Crime Stoppers.

When you call the police, the person who answers the phone will take information to give to the police. The police might ask for your telephone number and name so that they can get more information from you in the future.

The police can investigate the report. The investigation might include:

- a detailed signed statement from the victim
- statements from neighbours, family members, or service providers who might have seen or heard evidence of the abuse
- photographs of any injuries
- a medical report
- statements from anyone who knows about previous abuse (for example, hospital staff)
- any other relevant evidence

Emergency	9-1-1
Crime Stoppers	1-800-222-8477
RCMP Charlottetown	902-368-9300
RCMP Summerside	902-436-9300
RCMP Alberton	902-853-9300
RCMP Montague	902-838-9300
RCMP Souris	902-687-9300
Charlottetown City Police	902-629-4172
Summerside City Police	902-432-1201
Kensington Police Services	902-836-4499
Borden-Carleton Police	902-437-2228

For more information about or to report previous and current scams, go to:
phonebusters.com

For more information about safety programs for Island Seniors, go to: seniorssafety.ca



Now let's look at Marion, Peter, Roger, Elizabeth, Robyn, Harry and George...

Marion's daughter-in-law talks to the Nurse Manager. She explains that she feels Marion's personal space has been violated. They agree Marion needs to be protected from further intimate contact and supported by family and staff while she recovers emotionally. The Nurse Manager agrees that the facility needs to monitor the male resident closely and ensure steps are taken to prevent further incidents from happening. She also agrees to begin staff training on how to deal with similar situations if they come up in the future.

Roger is able to convince Peter that it is best to involve the police. Peter calls the RCMP and an officer visits him. The officer writes down everything Peter tells him and recommends a peace bond. A peace bond is a court order to protect a person against violent action by another. The officer applies for the peace bond so that Peter does not have to go to court. With Peter's consent, the police also make a referral to Victim Services so they can provide additional support to Peter. Roger keeps a close eye on Peter and makes sure that others in the community are aware that John should be kept away from Peter. John realizes that Peter has the protection of the police and the support of the community.

Elizabeth eventually agrees to let Robyn call the outreach worker at Family Violence Prevention Services. The outreach worker meets with Elizabeth and they discuss John's abusive behavior. Elizabeth is not willing to leave her home but she agrees to develop a safety plan so she knows what she can do if she changes her mind. She agrees to talk to the police so they can open a file and be prepared if she needs them to intervene. Elizabeth also agrees to meet with the outreach worker again in a few days to let her know how she is doing.

George calls Adult Protection and asks if they can assess Harry without upsetting him or letting Harry know that George called them. The adult protection worker visits Harry and spends some time getting to know him. She finds that Harry is very ill and confused and works with him to get the treatment he needs. Once Harry recovers and is no longer confused, he insists on returning home. He continues to live as he did, not allowing anyone in to help.

Guide to services and phone numbers

Community Legal Information Association (see page 18):

902-892-0853
or toll free 1-800-240-9798
www.cliapei.ca

Victim Services (see page 16):

Charlottetown	902-368-4582
Summerside	902-888-8218

PEI Family Violence Prevention Services Inc. (see page 17):

Anderson House	902-892-0960 1-800-240-9894 (toll free)
Queen's County Outreach	902-566-1480
Eastern PEI Outreach	902-838-0795
East Prince Outreach	902-436-0517
West Prince Outreach	902-859-8849

Adult Protection Services (see page 18):

West Prince	902-859-8730
East Prince	902-888-8440
Queens	902-368-4790
Kings (Souris)	902-687-7096
Kings (Montague)	902-838-0786

Grandmothers House, Charlottetown (see page 19):
902-368-3339

**Chief Mary Bernard Memorial Women's Shelter, Lennox Island
(see page 19):** **902-831-2332**

PEI Association for Newcomers to Canada (see page 20):
902-628-6009

Police Services (see page 20):

Emergency	9-1-1
Crime Stoppers	1-800-222-8477
RCMP Charlottetown	902-368-9300
RCMP Summerside	902-436-9300
RCMP Alberton	902-853-9300
RCMP Montague	902-838-9300
RCMP Souris	902-687-9300

Municipal Police

Charlottetown City Police	902-629-4172
Summerside City Police	902-432-1201
Kensington Police Services	902-836-4499
Borden-Carlton Police	902-437-2228

Websites: **phonebusters.com**
seniorssafety.ca

Caution:

The contents of these booklets are general information only and should not form the basis of legal advice. The contents are not a complete statement of the law or policy in these areas. Changes in law and policy occur frequently, so readers should check with CLIA or a lawyer for up-to-date information. For legal advice, contact a lawyer or call the Lawyer Referral Service at 892-0853 or 1-800-240-9798.

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