

The **POWER** of ATTORNEY PROJECT

Let's Talk About Elder Abuses

Welcome to the Power of Attorney Podcast which is part of our Conversations that Matter Podcasts. My name is Mary Bart, Chair of Caregiving Matters. This podcast is intended to provide general information only and is not intended to be a substitute for seeking personalized legal, financial or other advice. This podcast raises issues that our audience can further explore on their own in their own local communities with their own local experts. This project will help to be a call to action for families to solve their issues, find solutions to their problems, and have greater peace of mind.

Mary – Today our topic is Let's Talk about Elder Abuses. Our guest expert is Detective Sergeant Leslie Raymond from the Ontario Provincial Police. Welcome.

Detective Raymond – Thanks Mary, Just to give you a bit of background on myself, I've been with the OPP since 1998. I've been the region abuse issues coordinator for central region for approximately five years. I started my policing career out of Nadawasaga detachment which is in Alliston. Prior to joining the OPP I was a social worker with the children's' aid for nine years.

Mary – That's really exciting so when you came to this role you saw issues in the community from one side of the social worker table but now you look at it from the policing side. That's a very interesting background.

Detective Raymond – Yes, and certainly it's a good fit for me given my social work background and now I'm still dealing in all areas of abuse issues, not just elder abuse.

Mary – Wonderful and good for you for helping out that way. I think what we'll do is I'll start and I have a couple questions and if you can give us the answers, I'm sure our audience will be very interested in hearing what you have to say about elder abuses. My first question is what is elder abuse?

Detective Raymond – Well, we use the following definition for elder abuse

- Any action or inaction by any person which causes harm or threatens to cause harm to an older adult.

Now this is actually a very broad definition and as you will note in the definition, we do not stipulate an age. There is a lot of variety within not only the police force but other community service agencies who deal with the elderly or elder abuse. Some people use 65, others use 60 and some 55. We at the OPP haven't stipulated an age when someone becomes a senior because it depends on a variety of factors. It could depend on:

- Perhaps they have early onset dementia
- Alzheimer's Disease
- A variety of mental and physical health factors

The perpetrator or the person who is causing or threatening to cause harm to the older adult can be a family member, a friend, a caregiver, a staff member at a care facility, a stranger, or anybody else on whom the senior relies on for their basic needs and services.

Mary – So that's interesting. It could be a family member or it could be, as this project is focusing on, the person who is in charge of making decisions on that person's behalf so it could indeed be the power of attorney or substitute decision maker and I think the goal with this podcast is to let families know that it could happen and that in society it does happen. The goal for this is if you expect to be somebody's power of attorney you can learn from this and if you are someone's power of attorney then these are issues that you need to be aware of because they are very important and they are legal issues correct?

Detective Raymond – Exactly.

Mary - So what kind of kinds of elder abuses are there? Are there different types?

Detective Raymond – Yes there are and we tend to categorize them into four types:

- Financial abuse
- Physical abuse
- Psychological or emotional abuse
- Neglect

So I'll talk about each one of those individually to give you an idea of what they mean and how you might find those.

Financial abuse is the theft or exploitation of a person's money, property or assets. It can be something fairly blatant like the theft of their money; withdrawing money from their bank account, stealing their property, forging their cheques; cashing their cheques and taking their money, or even misuse of their money by means of the power of attorney. As a matter of fact, there's a charge in the criminal code called theft by power of attorney. As well, there are many scams out there now. There are fraudsters who target seniors because it seems a lot of these seniors are vulnerable. They take advantage of them perhaps because they are lonely. They may strike up a friendship or a relationship and then they get them to give them money or property or etc. We've all heard of a number of those different kinds of scams. Quite often we find that the financial abuse is perpetrated by family members because family members are generally the ones who are caring for their elderly parent, they have access to their property, access to their money, and quite often the parent will give their son or daughter access to their bank account. They may even have joint signing ability on their banking account thereby leaving that son or daughter complete power to take whatever money they want from their mom or dad. So that's financial abuse in a nutshell. A good example of this actually quite close to home, friends of the family and they actually had recently attended an educational workshop on this very topic on all the

frauds and scams out there. They got a phone call out of the blue one day about a person who had an antique car for sale quite cheap and all they had to do was send a really low amount of money via western union or moneygram. Unfortunately, the people did that and they never got the car but they continued to get phone calls wanting more money. These people kept saying we'll send you the car but you've only given us a deposit. We need more money. It's interesting to note that these people, and I know them personally, they aren't normally vulnerable or gullible. That's just how good these fraudsters are at targeting people and wearing them down. They're just relentless. These people actually ended up having to change their phone number because these fraudsters were calling them 20-30 times a day even in the middle of the night and it was to the point where it was causing them so much stress. Thankfully, they only sent them that one cheque via western union and then they quickly realized that it was a scam and interestingly enough, I was at their house one night and the phone rang and they suspected it was these fraudsters and I said oh I'll answer so I answered the phone and I identified myself as a police officer and the fraudster clearly didn't care, swore at me, and said he was going to continue to call the people and it was really none of my business and there was nothing I could do about it and unfortunately he was right because it's very difficult for us to track these guys because they use phone numbers we aren't able to track, they access people via internet, they have IP addresses that we can't track or they could be some place in Africa where they route phone numbers and IP addresses through so many others that really there's nothing we can do. It's really unfortunate that these guys are out there and they do tend to target the people that are most vulnerable.

Physical abuse is defined as any act of violence causing injury or physical discomfort. This can be a blatant assault for example slapping, shoving, pinching, kicking, hitting or any other intention rough handling which we see sometimes by caregivers who are caring for the elderly. It includes sexual assault, confining the older person i.e. locking them in a room, and giving too much medication or not giving enough medication. I saw one example of this locally where there was a young PSW student who was working at a long term care home and was so concerned about what she saw to her credit she had the foresight to the local OPP detachment and report her concerns. What she saw was this elderly lady with whom she was working had false teeth and for whatever reason, the woman had sore gums and she was getting ready for bed and the PSW student was directed by her supervisor to help the woman go to bed and make sure she took her teeth out etc. The woman said to the young PSW student would you mind if I just took the teeth out myself because my gums are bothering me and I don't want anybody touching my mouth. The PSW student respected her wishes and let the woman take her own teeth out and as this was happening, the supervisor was walking by, saw the woman taking her own teeth out, and for whatever reason she got extremely angry and started yelling at the PSW student, "What are you doing?" "Why are you letting her do that? I told you to take her teeth out" then she proceeded to yank the teeth out of the older woman's mouth and then proceeded to go on from there. That, in my opinion, is physical abuse. It's intentional rough handling that was totally unnecessary. Thankfully, the PSW student had the guts to report it and then an investigation ensued. Very disturbing and very unnecessary.

Mary – How wonderful for that young girl to do that and just a note that the letters PSW stand for personal support worker and these people are hired either in home or in facilities to assist seniors often

with things such as dressing and hygiene and that was a pretty gutsy thing for her to do. She could have lost her job placement but she had the strength of character and the strength of what was right to go to you and it's an amazing story when you hear of somebody who is still training and is right and her boss is wrong. That's a wonderful story.

Detective Raymond – Exactly. Quite impressed by her and that is what we want people to do obviously because if we don't know what's going on out there how can we deal with it, how can it get any better. I'm happy to say that this was not a routine example of what happens in long term care homes.

Psychological or emotional abuse is defined as any action or comment that may cause emotional anguish, fear, or diminish the self-esteem or dignity of the older person. So it would include:

- Verbal abuse
- Threatening
- Insulting
- Intimidating
- Humiliating
- Isolating
- Shunning
- Ignoring
- Put downs
- Not considering their wishes
- Not respecting belongings
- Not respecting their pets
- Denied access to grandchildren or friends
- Belittling

The psychological or emotional abuse, although there are no outside physical indicators, like you might see in physical abuse, the effects of psychological and emotional abuse can actually have more longstanding impact on people.

Mary – Leslie, can I share an example of isolation that I have seen and it's so blatant that I barely could believe this story. This elderly lady lives in a long term care facility. Her daughter is her power of attorney or substitute decision maker and here's what happened. The elderly lady needed hearing aids and the daughter had bought a set of hearing aids for her mom. Then somehow they got lost or misplaced and so the daughter was very upset because they're obviously very expensive things so the daughter went out and purchased a second set of hearing aids. But here is what she did. The mother only got to wear the hearing aids when the daughter came to visit. She was able to have a conversation with her daughter, visit, chat and do all those kinds of things but when the daughter left, she took the hearing aids with her and left the building. So for 99% of that lady's week, she wasn't able to participate in anything. She couldn't hear the music and she couldn't chat with the ladies at her table...she couldn't do anything. She couldn't even hear a fire alarm if it were to go off in the building. The daughter, she thought she was doing the right thing because she was saving money because mommy wouldn't lose

another set of hearing aids. In actual fact, she was abusing her mother I think because she had her so isolated and I know that got reported and since then the staff have created a little routine so that the mother can have her hearing aids at meal times and watching TV alone or in the lounge so that got fixed but again only because somebody noticed it. This topic is very important.

Detective Raymond – Yes exactly and sometimes as you say that got reported only because somebody noticed it. A lot of times with psychological/emotional abuse, particularly with the seniors, it can be more subtle and some people might not notice it or they might just chalk up the behaviors as a result of psychological or emotional abuse as sort of normal behaviours of somebody who is aging. It's really important for people who have any contact with seniors be it their own parents or whether they are POA or working with seniors in any other capacity, to be cognizant of those signs. I believe we are going to be talking about the signs in a little bit.

Neglect includes three types:

- Active neglect which is intentional failure of a caregiver to fulfill their responsibilities.
- Passive neglect which is the unintentional failure of the caregiver to fulfill their responsibilities. ie someone who perhaps is getting burned out, maybe they don't know any better, they're not sure of their resources, they just simply aren't aware of all the needs of their elderly parent or whomever it is that they are taking care of.
- Self-neglect is when the older person isn't providing for their own needs and we wouldn't consider a senior self-neglectful if they do not have the capacity to understand their own needs. For example, somebody who's got dementia or Alzheimer's and a lot of time we would see hoarders in this category. For example, perhaps they have an unkempt house, their appearance is unkempt, they perhaps aren't eating properly, but they do have the capacity to know what they should and shouldn't be doing and what their needs are.

So again, we might see withholding of care of medical attention, leaving the person in an unsafe place, over and under medicating, lack of food, lack of hygiene, dirty house etc. and again there would be the active neglect where somebody knows their responsibilities. They know what the senior needs and they know the senior is supposed to be getting certain medications at certain times of the day yet perhaps they're withholding it; maybe they're taking the medications themselves or they're giving all the medication at night so the senior sleeps. Perhaps they're not feeding the senior appropriately. Perhaps there's a money issue so they're trying to cut back or maybe they're taking the entire senior's money and there's no money left to buy groceries. We can see neglect in a variety of ways.

Mary – That's so interesting and I hope people listened to the different types and be aware that there are many different types of elder abuses. How can a person recognize elder abuse? Do you have ideas for signs and symptoms to share with us?

Detective Raymond – Yes, and again I think I'll divide the indicators up based on the four types of abuse because you may see different indicators depending on the kind of abuse. So for financial abuse, what

you may see is the senior has unexplained bills. Perhaps all their bills were paid for previously and now suddenly they've got all sorts of bills and they aren't able to pay them. Maybe their belongings are starting to disappear; particularly belongings that have some worth. Large withdrawals from a bank account may be seen or conversely they aren't spending any more money. Perhaps they fear their abuser has told them stop spending the money. Maybe the senior requests loans or cash when prior to this they had a steady income, perhaps they have a pension, and their mortgage is paid off and there really should be no reason for them to be asking anyone for money and now suddenly they're asking somebody else for money. On occasion too we will see the senior want to change their will or change their power of attorney for no apparent reason. Quite often what we will see is the older person will suddenly have a new friend that nobody has ever met before and now all of a sudden the senior wants to put that person in their will and wants to make that person their POA and we can see as an outsider clearly what this new friend is doing. They are trying to befriend the senior in order to gain access to their money and become their POA so that they can control the senior's money and gain access to it. So there are a number of different indicators of financial abuse.

So for physical abuse, some of the indicators are going to be very obvious and you may see bruises, bumps, cuts, burns, and grip marks. Quite often you will see what appear to be grip marks on the arms and maybe broken bones. Granted we all get bumps, bruises, cuts and we burn ourselves but we have to pay particular attention to where those marks are. Shins are relatively normal but if you're starting to see bruises in places where people wouldn't normally get bruises that's when a red flag should go off. You'll see when questioned about how the senior got these marks that they will come up with some sort of excuse. They'll say that was an accident, they walked into a door, or they fell and the explanation doesn't seem to fit with the type of injury. If you're finding that the senior is appearing to be not very lucid and there's been no diagnosis of dementia or Alzheimer's, and they are on medication, you may question when the medication has been given. Is it a situation where the senior's being overmedicated in order to control their behavior? We find that quite often as well. So there are a number of different indicators for physical abuse. Under physical abuse as well we include sexual assault. Unfortunately this does happen to seniors. Quite often you'll find it happens by caregivers and not to be by family members. Again, you may or may not see any physical indicators of this. Obviously for a female victim, if you see any bleeding, redness, if the senior requires daily changing of any diaper such as a depends and you see bleeding or redness that's not normally there that could be an indicator of sexual assault. You may see other bruises on the older person if they had to be held down for example. So you may see bruises on their arms or legs as a result of that.

For psychological abuse, again, the indicators may be more subtle and may be confused with behaviors that you might excuse as normal for a person of that age. You may find them to be depressed, withdrawn, they may have low self-esteem, they may cry for no apparent reason, they could not be having visitors and that may be a change for example a new person has come into their life and now they no longer have other visitors. That could be an indication that that new person is trying to control not only that elder person's behavior but control who they see as well because they don't want a number of people having contact with the older person because that will limit who the elder person can talk to and disclose to them what's been going on. The thing with psychological or emotional abuse is

that the people by using their threats, insulting, the humiliation, putting them down, it does cause them to internalize those comments and that's why you see them with the low self-esteem, depressed and withdrawn and it is much like situations we would see in cases of domestic violence where the spouse, generally female, is treated that way by their husband or male partner. The longer that it goes on, the more you are going to see these kind of indicators and the harder it's going to be for the victim to tell anybody because they start internalizing what it is they're hearing and they start believing that they are worthless. Some people have said that the effect of psychological or emotional abuse lasts a lifetime whereas the results of physical abuse, well the bruises will go away. It's so true.

Mary – Well you know it just upsets me to a great degree that anybody would do anything to hurt a senior. They've given their lives and created families and then often society has discarded them. It is perceived by some that they don't have value and that they're useless. This topic of elder abuse is so important because you could be the power of attorney watching over somebody but you could also be the neighbor watching how the power of attorney is treating that person. If everybody had more eyes watching our seniors there would be less abuse in my opinion and this topic upsets me because they are so vulnerable and so needy for love and attention. I know in our family, we have had several very serious potential elder abuses that were luckily stopped but I think every family needs to say who's watching mom and is she being well watched and taken care of? In our family, we started to text people and question people and we would have family meetings to say is this person or that person a potential abuser? Then we quickly decided yes or no but we often talked about the potential for this new person coming into a part of my family and so what you say happens and I don't think it's isolated. I think it happens all the time. It's sad that it does.

Detective Raymond – You're absolutely right and it is sad. It's deplorable. I don't know how anybody could treat a senior like that as you said. They should have the respect that they deserve because they've been on this planet for however long and they've contributed etc. and they really should get special treatment I think. Not the kind of treatment that unfortunately some do get and from people very close to them. Usually that's who is doing it.

Mary – Leslie, do you have another example that you could share with our audience to help paint the picture of elder abuses?

Detective Raymond – Yes, this one is quite interesting because it appeared initially as an abuse and in the end we're really not sure but it just gives you an idea as to the complexity. Actually, the referral came from a member of the community care access centre. She was working with this family and quite concerned because there was an elderly lady and she was in her early eighties. This is a good case because there's just so much going on. She was capable so she understood everything and she was living with her son who, he himself was somewhat of a senior. He was in his early sixties. The house was absolutely deplorable. Walking up the front porch you could smell the dirt. It was disgusting. There were bags of garbage on the porch and inside of the house was deplorable also. There was food left on the counter, the fridge wasn't working, the stove was a fire hazard due to the amount of grease and stuff on it, and the physical condition of the house itself was not good as well. You walked in the front door and there had been a leak so the vapour barrier was full of water and it was hanging down to the

point where it was almost breaking. The bathtub in the main bathroom, there had been a number of leaks and beside the tub where it joined the floor you could see right into the basement. That was a hazard and who knows when that bathtub was going to sink into the basement. They also had a dog that lives primarily downstairs and that's where the dog did its business. So aside from the housing part of it, mom also had some significant medical issues. She slept on a bed in the living room and again everything was dirty in the house. You had to walk through all the stuff that was in the house. The mom's legs were purple from the knees down due to the lack of circulation so CCAC called and went into the home with police. Thankfully, they allowed us into the home because at this point we really didn't have much authority to go in. So we weren't sure whether this was intentional abuse on the son's part or whether it was just a case of passive neglect and he just didn't know any better. After several meetings we learned that mom was very capable. She was very lucid. She knew what was going on. In the end, with the son, it was determined to be more of a passive neglect. He just didn't really have the capacity to care for his mother and she was choosing, as much as you and I and our listeners would not choose, to live that way. What appeared to be on the outset a case of elder abuse, in the end wasn't. That's one thing that we do have to keep in mind here as well is that seniors just as much as anybody else, have the right to live the way they want. So if they choose to live in a mess and as long as it's not impacting anybody else, there's nothing criminal going on, in this case the mom still saw her doctor, she was still getting fed; the son would actually walk to the grocery store every day so they would have fresh food ... so that's one where it appeared to be abuse on the outset but in the end wasn't and there was very little we could do. However, given the condition of the house, we ended up contacting the town and we got the fire department involved and fortunately the house ended up being condemned because it was in such a deplorable state. It was not liveable and in the end we did that for the safety of the mom and her son because somebody was going to get hurt there. So this was a really good example of a passive neglect case.

Mary – That's really interesting and it makes people step back and not instantly pass judgment. Where you say you think you see some of the signs of abuse but you're not sure. So what can people do if they actually suspect elder abuse?

Detective Raymond – I mean it depends on the relationship you have with the senior but I would suggest a good first step is to talk to the senior. Find out what's going on. Let them know you're concerned. Particularly if you are their POA or if you have a good relationship with the senior. If you feel comfortable talking to them approach the senior and try to find out what's going on. If the senior has a substitute caregiver. If the senior isn't capable or don't understand and you trust the person who is supposed to be looking after the senior, then talk to that person if they are not the suspected abuser. If there's any family members that are involved who again you don't suspect to be the abuser talk to them as well because perhaps the family members live far away and they don't have much contact with their parents and they're trusting this caregiver to do a good job. They might not know what's going on. Talk to them as well. If there's a POA and you don't suspect the POA talk to them. Failing all that, obviously you can call the police if you are concerned with the senior's welfare. Even if your concerns are vague, call the police. It doesn't mean we are going to run right out there and charge somebody. If you know that there are other service providers involved with the senior, i.e. a community access worker or PSW

going into the home, talk to them as well. That gives you a bunch of ideas as to what you can do if you suspect.

Mary – Well those are really very good ideas and how would the police actually respond?

Detective Raymond – So if we were to get a call, we would first get as much information as we can from whomever it is who has called us. Quite often what we get are wellbeing checks. A person who is concerned for a senior's safety. Perhaps they haven't seen them in a while or they may have some vague concerns about abuse. We would go out to the home and see for ourselves what is going on so we would obviously like to get in to the home because we want to make sure that all the senior's needs are being met, that the house is okay, that there's food etc. Then we would meet with the senior and we would meet with the senior on their own so if there's somebody else in the house such as a family member or caregiver and if the senior is capable of having a conversation with us we would definitely want to talk to that senior on their own. We don't want them to feel like they have to be careful about what they say in front of the other person who's in the home. Perhaps that person is an abuser so we would talk to as many people as possible and if we had some concerns after speaking with the senior that perhaps there is some abuse we would want to take as much information from the senior as possible and we would also want to interview anybody else who may have witnessed any abuse and anybody else who's been involved with the senior such as family members, psw's and anybody who may have had any contact with the senior and may have witnessed what is going on. Now having said all that, just because we do all that and even if we do determine that some abuse has taken place that doesn't necessarily mean that anybody is going to be charged because quite often what we find in these situations is we find that the abuser is a family member or caregiver on whom the senior relies for help. So if we charge that person that would leave the senior quite often with no one to care for them. Often what we see with the senior is that they don't want to press charges. They simply want the abuse to stop or they want to be cared for properly as they should be and that's to be expected. In that kind of situation and the senior didn't want any charges or if we didn't have the evidence to support any charges then we would also meet with the person responsible for the abuse or suspected to be responsible, and let them know what we know because it also could be a case where it's not intentional on their part, it's not an active neglect but rather perhaps they didn't know or they are overwhelmed with a family of their own plus they have a job and they simply just can't cope. In those kind of instances, we would provide education to the caregiver and the senior as far as what services are out there to assist them. For example, if they aren't already hooked up with CCAC then we would do that and get them a psw or perhaps get them some respite care and hook them up with a variety of different agencies that are in the area where they live to help them to care for the senior.

Mary- That's really good information because often people don't even know where to turn or how to get help. So who should they call?

Detective Raymond – They can call a local elder abuse network. If they don't there's also Elder Abuse Ontario. They have representatives throughout the province and they're great to provide information

and resources as well. They can call the community care access centre and they are throughout the province as well and I believe that there are many agencies that deal specifically with these seniors issues such as CCAC although they may not all be called that. If the person, for example, has Alzheimer's, there's the Alzheimer's Association of Ontario and they have local branches. They will provide support and resources as well. They can obviously call us, the OPP and we can help out with hooking people up with resources as well. Local hospitals too have specific geriatric nurses who are a wealth of information so there are a number of different agencies out there for people who are dedicated to dealing with this issue.

Mary- So for people who do not live in Ontario, I'm assuming that all provincial police have departments who are able to take your calls around elder abuse. Whether you are in Ontario, Alberta, New Brunswick you can call any of these places or organizations and they will be able to help people.

Detective Raymond – That's correct and there's another good resource as well. It's the Neighbours, Friends and Family Campaign and you just need to Google that and there's a specific campaign for seniors and essentially what this is is an education campaign for neighbours, friends and family on how to deal with this issue. There's all sorts of tip sheets and different pamphlets on that website for people to look at. It will give them what questions to ask, the signs etc.

Mary – That's really helpful. Leslie, I would like to thank you so much for joining this project and sharing your wisdom and telling us how important to be more educated about elder abuse. I'm sure our audience will listen to this session and say I learned something that I didn't know before. So I thank you very much for your participation and could you share with our audience your contact information?

Detective Raymond – My name again is Leslie Raymond and my email address is leslie.raymond@ontario.ca or my phone number is 705-330-3743

Mary – Thank you Leslie, that's wonderful.

Chris - Mary, who are our initial project supporters?

Mary – We wish to acknowledge that this project is funded in part by the government of Canada's New Horizons for Seniors Program. Our other initial supporters include Care Connect, The Care Guide, The Healing Cycle Foundation and Scotiatrust. Caregiving Matters is an internet based registered Canadian Charity dedicated to educating and supporting family caregivers. 90% of our work is done online and by leveraging technologies. 10% is done by producing local educational events. We leverage technologies in everything that we do ensuring greater reach and sustainability. I trust that we have given some of the highlights of our exciting new initiative. If you are interested in speaking with me about the project, please let me know. We look forward to your questions and your ideas.

Chris - **Mary, if listeners have questions, what is the best way for them to contact us?**

Mary Bart- You can contact me directly Mary Bart, Chair of Caregiving Matters at 905-939-2931. My email is mary@caregivingmatters.ca and our website is www.caregivingmatters.ca