

May 2021

BRIEF FOR THE HOUSE OF COMMONS' STANDING COMMITTEE ON JUSTICE AND HUMAN RIGHTS FOR ITS STUDY OF ELDER ABUSE.

1- Seniors First BC

Seniors First BC is a registered charity that provides direct services to vulnerable seniors across the province of British Columbia. As far as we know, we are the only organization in Canada that offers a Seniors Abuse and Information Line (“SAIL”), Victim Services, Legal Services and a Workshop and Outreach Program.

SAIL provides referrals both internally and externally and is considered the front door of our organization. It follows that most statistics are collected through SAIL.

Between 2019 and 2021, the most two common types of abuse reported by callers were: Emotional and Psychological Abuse and Financial Abuse¹. These will be the focus of the brief.

2- Psychological and Emotional Abuse

Psychological and emotional abuse consist of “the intentional infliction of mental harm and/or psychological distress upon the older adult. Verbal and emotional abuse can include yelling, swearing and making insulting or disrespectful comments. Psychological abuse involves any type of coercive or threatening behavior that sets up a power differential between the older adult and his or her family member or caregiver. Psychological abuse includes any act, including confinement, isolation, verbal assault, humiliation, intimidation, infantilization, or any other treatment which may diminish the sense of identity, dignity, and self-worth of the older adult.”²

Listening to seniors alleging that an abuse has occurred and validating their feelings is the first step to ensure that they can be provided with the support that they need.

¹ See attached statistics.

² See *Understanding and Responding to Elder Abuse* E-book, 2013, BC Ministry of Public Safety and Solicitor General, available at: <http://seniorsfirstbc.ca/news/e-book-understanding-and-responding-to-elder-abuse/>

Seniors First BC's SAIL and Victim Service workers frequently report hearing complaints about agencies disregarding the older adult's concerns, assuming that they have dementia, are incompetent, or do not understand what happened to them.

As mentioned by other witnesses, many seniors do not wish to involve the police due to a combination of fears of repercussions for their loved ones, concerns about finding an alternative caregiver, but also due to the belief that they will not be taken seriously.

Our Victim Service worker routinely hears from clients that abusers have actually encouraged them to call the police because they already know the routine: an officer comes, de-escalates the situation, and leaves. Shortly thereafter the abuser returns. Workers have also heard about police deciding against writing a report because they consider the issue to be a civil or a family matter.

However, there have been positive stories about local enforcement, typically in which the officer listened to the older adult's story, had a frank conversation with the abuser (sometimes warning them of the possible criminal consequences), and followed up with the older adult. This successful approach has most commonly been found in small communities.

Our recommendation is therefore to provide better training to local enforcement agencies and to encourage investigation and follow-up.

3- Financial Abuse

Common types of financial abuse are due to misuses of Powers of Attorney as well as frauds and scams.

a) Financial abuse by relatives.

The Seniors most at risk are isolated, and do not understand English.

SAIL workers often hear about situations where an older adult attends a meeting at a financial institution along with a trusted relative who serves as interpreter. The older adult signs a Power of Attorney, not understanding what it is, and their relative tells them where to sign. The interpreter is not listed on the Bank Power of Attorney.

A similar situation would be triggered when family members assist an older adult with an application for federal pensions and benefits. The older adult ends up signing a document allowing the relative to act on their behalf.

Our recommendation to prevent these situations would be to insist that financial institutions use interpreters and do not allow representatives to interpret at meetings designating them as beneficiaries. Similarly, we would recommend that Service Canada use neutral interpreters, similar to the Provincial Language Services (PLS) used by the BC Employment and Assistance program (for income assistance, disability assistance).

b) Frauds and Scams

The seniors most at risk are isolated. Many well-intentioned family members appear shocked that fraudulent transfers happened and the Bank did not notify a relative, the Public Guardian and Trustee, police, nor did the Bank freeze their older relative's account to minimize losses.

This is because unlike credit card companies, banks and credit unions do not monitor for fraudulent activity on their clients' accounts. They have typically not been found to hold any duty of care to their account holders or third parties, and therefore are not held liable by the Courts for a failure to alert the police or victims of frauds regarding suspicious transactions.

Seniors First BC offers public education services through workshops and presentations, previously in-person (city hall, community centers, etc.) and currently via videoconference through partners and community agencies.

Ideally, there should be a legislated duty of care for financial institutions, where they would be held responsible for losses arising from their wilful blindness. Potential confidentiality issues about customers' accounts could be covered in the account agreement.

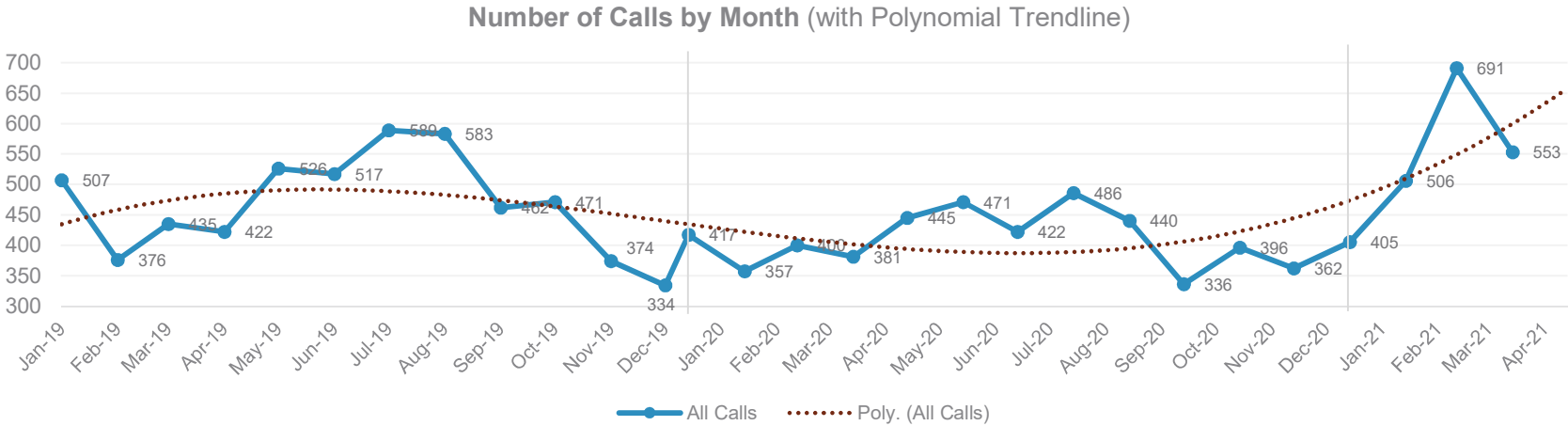
Another possible first step would be to introduce legislation protecting whistleblowers at financial institutions, like the US *Senior Safe Act*³, which provides immunity from liability in any civil proceedings to trained employees of financial institutions who report potential exploitation of seniors citizens, even if it would otherwise violate privacy legislation.

Law enforcement usually cannot punish the scammers due to a lack of resources and the inability to recover funds that are usually sent outside Canada. Even when funds appear to be deposited in Canadian bank accounts, we have heard that funds were often only held in Canada temporarily by intermediaries who were acting as "money mules" and were also victims of the fraudsters. Stopping international scams would require international cooperation, i.e. agreements with other agencies worldwide to prosecute and recover funds.

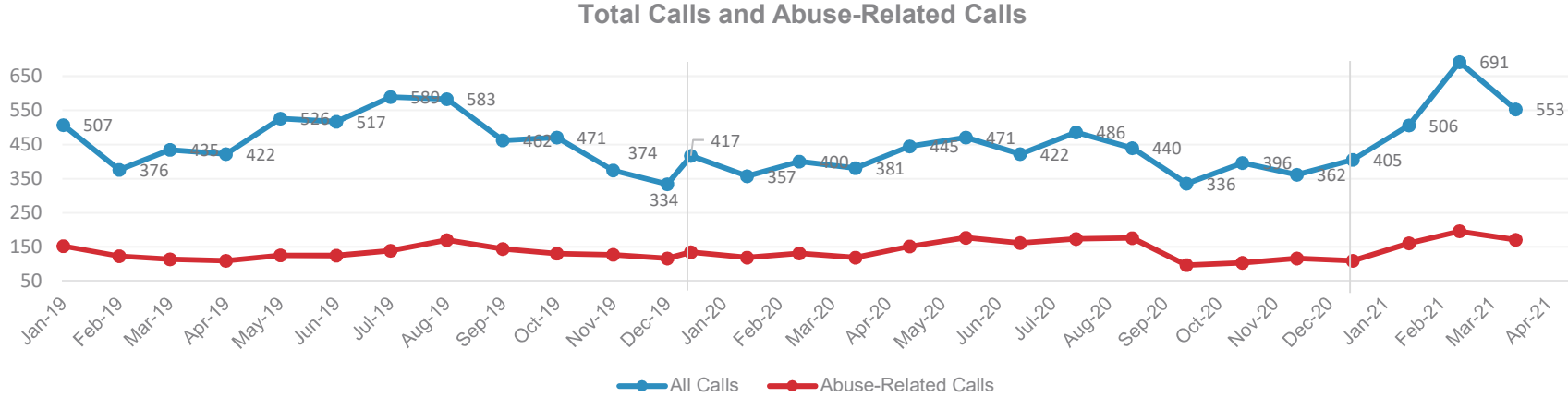
³ https://www.investor.gov/senior-safe-act-fact-sheet#_ftn1

Seniors Abuse and Information Line (SAIL), Feb 2019- Mar 2021

1. Total Number of Calls (2019-2021)



• 28% more calls from January to April 2021 compared to January to April 2020, and 24% more calls compared to January to April 2019.

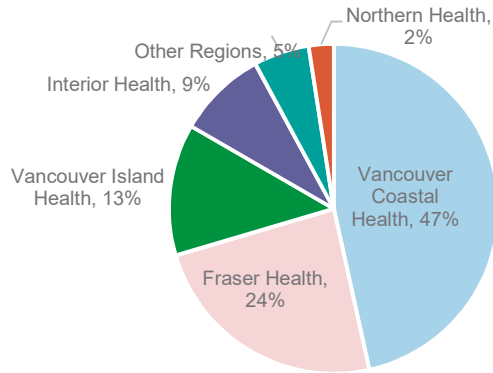


• 638 Abuse-related calls from January to April 2021 (an increase of 26% compared to January to April 2020, and +28% compared to the same period in 2019)

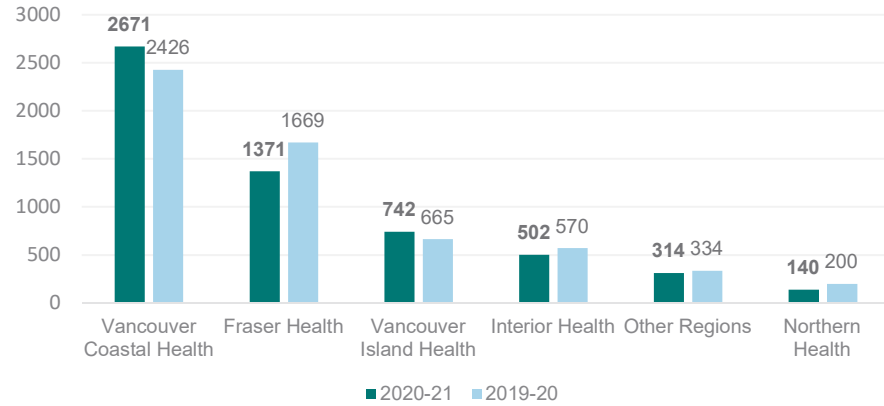
Seniors Abuse and Information Line (SAIL), Feb 2019- Mar 2021

2. Total Number of Calls - Details (2019-2021)

Regions (March 2020 - March 2021)

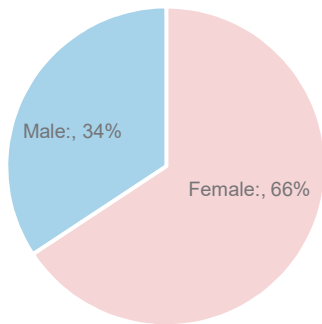


Number of Calls by Region (2019-20 and 2020-21)

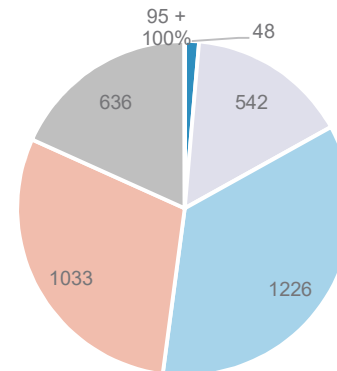


- 71% of calls are from the Lower Mainland.
- Number of calls from Vancouver Coastal Health increased by 10% compared to 2019; and calls from Vancouver Island increased by 12% compared to the previous year
- Female accounted for 66% of all callers
- Same amount of 'younger' callers (65 to 74), as older callers 75 to 84 years old

Gender (March 2020 - March 2021)



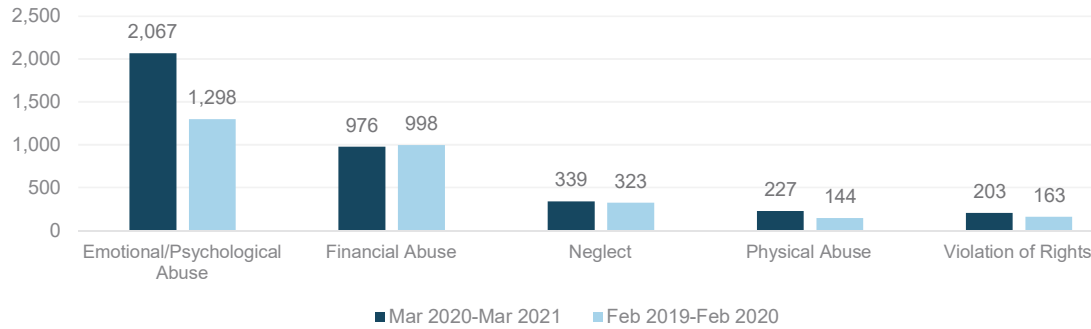
Age (March 2020 - March 2021)



Seniors Abuse and Information Line (SAIL), Feb 2019- Mar 2021

3. Calls Related to Abuse (2019-2021)

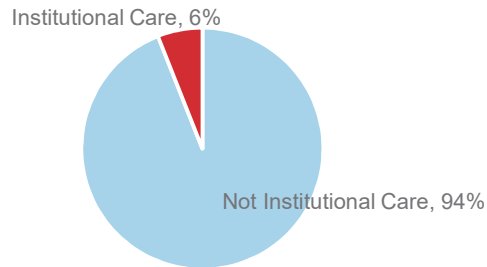
Top 5 Type of Harm (Before and After Covid)



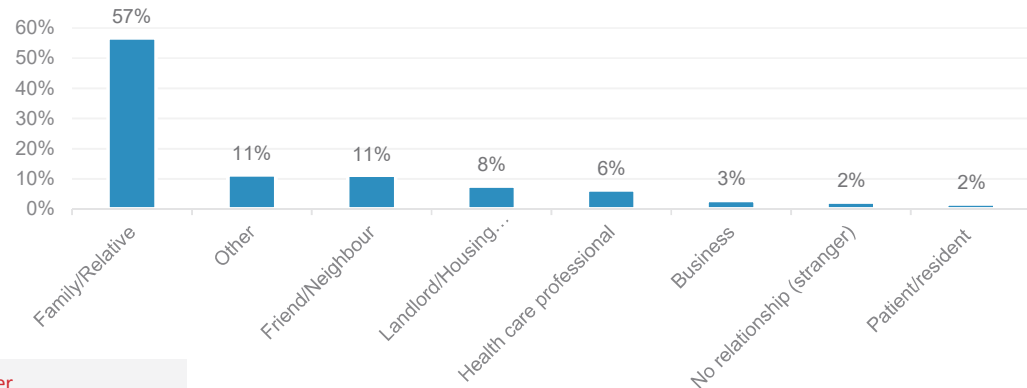
Type of Harm (Before and After Covid)	Feb 2019- Feb 2020	Mar 2020- Mar 2021	% inc./Dec.
Emotional/Psychological Abuse	1,298	2,067	59%
Financial Abuse	998	976	-2%
Neglect	323	339	5%
Physical Abuse	144	227	58%
Violation of Rights	163	203	25%
Threatening	150	136	-9%
Criminal	43	103	140%
Systemic/structural	25	67	168%
Other Crime - Breaches	25	55	120%
Self-Neglect	59	47	-20%
Medication-Related Abuse	49	36	-27%
Sexual Abuse	22	9	-59%
Spiritual/Religious	7	3	-57%

- Emotional/Psychological Abuse, and Physical Abuse increased by almost 60% since COVID-19 (from March 2020 to March 2021, compared to February 2019 to February 2020)
- 94% of seniors that reported Emotional/Psychological abuse do not live in an Institutional Care setting.
- Family/relatives, specially adult child, are responsible for almost 60% of senior's abuse

Type of Care (Emotional/Psychological Abuse)
March 2020 - March 2021



Relationship of Abuser
March 2020 - March 2021



Family/Relative Abuser
 Adult/Child 64%
 Spouse/Partner 15%
 OtherRelative 8%
 Sibling 5%
 Grandchild 5%