

ONPEA is now called Elder Abuse Ontario.

**Strategies to Minimize Risk of Abuse to Residents Tammy Rankin,
Elder Abuse Advisor, Durham Region Robin Sanders, OPP, Seniors
Assistance Team, June 11, 2014**

Of 102,000 residents in LTC in 2010, about 73% have some type of mental disorder including dementia. More LTC facilities are being used for placing people with violent behaviours who may not be seniors. Behaviour Supports Ontario is a province wide initiative hiring over 600 staff to help deal with residents with behaviour issues. Some are mobile, travelling to LTC homes to advise staff. Now that there are more supports to help people age at home, the ones who do end up in LTC often have complex needs including behaviour.

Police have difficulty investigating abuse by caregivers or residents when one or more of the people involved may be nonverbal or have dementia. There is, however, a duty to report and it is important that police are trained appropriately to deal with reports. The Ministry of Health has created charts of different types of abuse and how to decide what is reportable, including the relevant references to the Criminal Code.

A portion of the workshop dealt with how to make a report, as most people present were LTC staff or police. Although the general advice was to report as per the guidelines, there was also a caveat to respect residents' rights to make choices, e.g., to give money to relatives who might be seen as taking advantage of them. If in doubt, report.

The workshop addressed seniors' rights to make choices, even if they seem poor ones. We do not lose the right to self-determination when we enter a home, so can, just as an example, still eat things that are not good for us. Long term care facilities have increasing incidents of abuse, although this is partly attributable to better reporting. Unfortunately some caregivers are abusive and we watched disturbing footage from hidden cameras showing seniors being abused by staff.

Other staff accidentally injure residents by actions they did not know would hurt them but should have known, indicating better training is needed. Sometimes staff don't want to admit to dropping a patient and resulting fractures are not reported.

Physical abuse examples included inappropriate restraints, pulling resident by testicles, pushing, slapping, giving scalding baths, theft or double dosing

of drugs. Quite often abuse occurs as an outcome of a resident's resistance to care, but this does not excuse it.

Sexual abuse may be by staff or other residents. In the case of staff, sex with residents is always unacceptable. Many residents are unable to give consent so even if a resident couple is married, there can be incidents of sexual assault, but it has to be judged on a case by case basis. Sexual offenders may be in homes without staff knowing their past. Staff must watch for evidence such as genital bruising, blood, repeated urinary tract infections.

Some PSW's are afraid to report witnessing abuse by fellow staff because they may be seen as troublemakers in their workplace.

In addition to physical abuse residents are vulnerable to:

- Financial abuse, by homes or relatives, such as those with Power of Attorney, or fraud by outsiders who contact them.
- Verbal abuse, ranging from "hurry up and die" to infantilizing seniors.
- Psychological abuse.
- Neglect, which is now more common in the community than LTC.

A contributing factor to under-reporting is that good people cannot fathom the things bad people will do, so fail to notice warning signs. We were told some disturbing stories of neglect by relatives "caring" for their parents at home, including one woman who sat in her own waste and rotting flesh for four months until the smell was bad enough that the neighbours called police. This underscores the importance of community education so neighbours know to watch for signs, especially if they do not see someone they would normally expect to see, as isolation is one of the greatest risk factors.

An aside, at the Oshawa courthouse the courtroom was full of media covering the story of Darwin the IKEA monkey. No one was there for the case of a man who starved his mother to death.

Evaluating Seniors' Rights - Consent and Capacity Mark Handleman, Lawyer

Further to points made above, seniors retain the same rights as everyone else under the Charter of Rights, including the right to be foolish. However, those rights involve being knowingly foolish, and a degree of capacity is required. People's rights include the right to have their mental capacity lawfully assessed. This requires that the person is advised that the assessment is taking place, gives consent or someone with relevant POA does so, is advised of the findings and the right to challenge them.

Capacity centres on the ability to make decisions about treatment, admission to care, making a POA for care and/or property, making a will, getting married, etc. The key aspects relate to understanding relevant information and appreciating foreseeable consequences of their decision. It is not related to what other people claim is in the person's best interests.

Incapable people have the right to be protected from incapable decisions. Everyone should discuss with family members what their end of life wishes for personal care are, many years before they expect it to be an issue.

Senior Support Line - David Swerdfeger, Council on Aging Coordinator

The region has a toll free number seniors can call for advice and support on a range of issues. Most are short calls requiring contact information for agencies, but some are victims of abuse and the system is able to get them appropriate help. It is anonymous so does not trigger automatic police involvement.

72 hour stopover - Laura Hare, Alzheimer Society of Belleville-Hastings-Quinte

A network of retirement homes offer 72 hour placements for victims of abuse. For \$55 a day, they provide a safe place for a very short term while longer term solutions are being sought. This is a local and somewhat informal arrangement with the potential for expansion.

It's Not Right - see report from Western Conference in Chatham, April 30, 2014.

Linda Taberner