

# Reporting Abuse & Neglect Under Part 3 Adult Guardianship Act

## Information for people helping seniors



*Do you think someone you know is being abused or neglected?*

*Do you know what to do?*

If you think someone you know is being abused or neglected, do you know what to do? Here is an example of a common problem and how people can help:

### *Scenario 1*

*My aunt is 85 years old and is physically disabled. She lives with her daughter who is her only caregiver. I go to visit her often and suspect that her daughter is physically abusing her. I have tried to talk to her about the abuse when the daughter is not around and get the feeling that my aunt wants assistance in dealing with this matter. What can I do? Where can I report this abuse? Is abuse of the elderly a crime?*

Some types of abuse of seniors are crimes but there is no crime called **elder abuse**. For instance, if your aunt is being physically abused, the police might consider this an assault. Other common crimes against seniors are theft, fraud, threat and neglect. Often several

crimes are taking place at the same time.

Talk to your aunt to find out how serious things are for her. Ask her what changes, if any, she would like to make in her living arrangements. If she is in danger, support her to make a plan to keep herself safe. Her plan might include:

- ▲ finding another caregiver;
- ▲ calling VictimLINK to ask about people in her community who can help her (See the end of page two for a telephone number.);
- ▲ leaving her house for a safe place; and
- ▲ calling the police.

If you are unable to talk to your aunt, there are people who can go into her house to find out if she is safe and what her wishes are. They are called **Designated Agencies**. "Designated" means that these agencies or services have been given authority to look into reports of suspected abuse, neglect and self-neglect of adults. Their authority comes from the *Adult Guardianship Act*.



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The adults covered by this legislation are people over age 19 who are abused or neglected and not able to seek help for themselves due to:

- ▲ physical restraint;
- ▲ mental or physical disability; or
- ▲ illness or injury that affects their ability to make decisions about the abuse or neglect.

The designated agencies are:

- ▲ The **five regional health authorities** in BC whose staff working in Home and Community Care and Mental Health look into suspected abuse and neglect situations involving adults, including almost all seniors; and
- ▲ **Community Living Services** of in the Ministry of Children and Family Development. Their staff would be responsible for looking into abuse and neglect of adults who have a developmental disability and who are eligible for their service.

As your aunt has a physical disability, it is quite possible that she has had some contact in the past with **Home and Community Care** services. Call them. The health care staff person will visit your aunt to ask her what support she would like and connect her to community services that can help her.

If the designated agency suspects a crime is being committed and your aunt is not able to seek help for herself due to a physical restraint (like being locked in her room or tied to a chair), or mental or physical disability, they have to make a report to the local police.

### SAFETY

Why should the police be involved? People who do research tell us that the risk of abuse and neglect is greater for people with disabilities. They are often

victimized over and over again by the same people. The most dangerous time is when the abuser fears that someone will find out about the crime. Do not leave a senior who has been abused alone with a suspected abuser.

It is very important that anyone who becomes aware of abuse deals effectively with the safety issues. The police and other people working in the criminal justice system are knowledgeable about these dangers and have experience in offering protection.



*The most dangerous time is when the abuser fears that someone will find out about the crime.*

### FINDING DESIGNATED AGENCIES AND OTHER RESOURCES

There is usually a designated agency in each community that you can call to report abuse of vulnerable adults in that community. For specific numbers for designated agencies and other agencies who can help in your community, you can go to the Public Guardian and Trustee website [www.trustee.bc.ca](http://www.trustee.bc.ca). Click on **Getting Support and Reporting Abuse** and then scroll down until you see **Community Numbers to Report Situations of Adult Abuse and Neglect**.



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If your aunt is able to make decisions and act on her own, the designated agency is not required to report suspected criminal offences against her to the police. They may suggest that she contact the police herself and refer her to other support services. In many communities people who offer information and help to seniors who are abused and neglected belong to a **Community Response Network**.

A Community Response Network (CRN) is a diverse group of concerned community members. They work together to create a coordinated community response to adult abuse, neglect and self-neglect. The network itself is not involved in specific situations. Organizations and people who are members offer various forms of assistance and support to individuals and education for the general public. Most communities in BC have CRNs. To learn more about CRNs and whether such a network exists in your community, go to the CRN website at [www.bccrns.ca](http://www.bccrns.ca).

If you do not have access to the Internet, then you can call **BC Coalition To Eliminate Abuse of Seniors** (BC CEAS) toll free at **1-866-437-1940** or **604-437-1940** in the Lower Mainland to get the contact numbers for designated agencies and CRNs in your area.

**VictimLINK** — This is a provincial toll-free telephone service that provides information and referral services to all victims of crime and immediate crisis support to victims of family and sexual violence. You can call toll free from anywhere in BC, 24 hours a day and seven days a week. This is a multilingual and TTY service. Deaf and hard of hearing people can contact VictimLINK via the TTY service.

**Toll-free number to call: 1-800-563-0808**

**TTY service: 604-875-0885**

For more information about criminal abuse or neglect of older people, you can refer to the information sheets written for seniors listed below:

### Related information sheets for seniors

- ▲ Abuse and Neglect of Seniors — Is it a Crime?
- ▲ Reporting Crimes to the Police and What Happens When You Make A Report
- ▲ Abuse and Neglect of Seniors and the Criminal Justice System
- ▲ Where to Get Legal Help
- ▲ Giving Other People Authority to Help You Manage Your Affairs



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