

# Victim Focused Services for the Elderly: Access and Effectiveness in Alberta

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# Canadian Research Institute for Law and the Family (CRILF)



- Located in Calgary, Alberta, Canada
- Non-profit, independent institute undertaking and promoting multidisciplinary research, education, and publication on issues related to law and the family
- Contributes to the work of governments, universities, and the legal and social science professions, and assists the public by presenting balanced, objective, and well-researched studies
- Projects funded by: provincial and federal government departments, other agencies (e.g., Edmonton Police Service), foundations, other institutes and universities, and international agencies

# What's up in Alberta...?

- Coordinator of Alberta-based Research Projects
- Addressing family violence: let's make this a priority!
- Child abuse, domestic violence... elder abuse?
- The Action Group on Elder Abuse (AGEA) in Calgary:
  - Seniors must have a voice and participate in all processes of change
  - There is a general lack of knowledge of the issue, the services available, and the mechanisms by which an alleged incident can be reported
  - The current response to reports of abuse is inadequate, as is subsequent support for victims
  - There are deficiencies in current legislation, which limits the protection of seniors from abuse



# The Project

Based on the identified concerns, this project was designed to meet the following objectives:

- Provide information that assists in improving legislation and reporting practices concerning elder abuse in Alberta
- Provide information that assists in improving access to services for victims of elder abuse
- Provide information that assists in improving the effectiveness of services to meet the needs of victims of elder abuse
- Provide information that will enhance the knowledge of service providers on legislation, reporting practices, and access and effectiveness of services for victims of elder abuse in Alberta

# Funding

- Funding for this project comes from The Family Violence Initiative, Department of Justice Canada
- Coordinator of Alberta-based Research Projects is funded by a grant from the Alberta Law Foundation



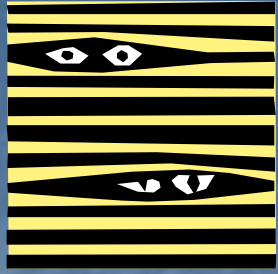
# The project is divided into 2 phases:

## Phase 1 (January – March 31, 2005):

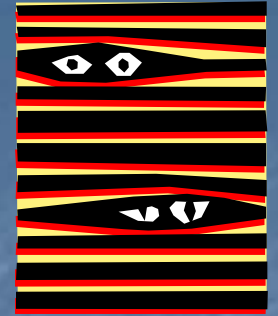
- A review of the legislation and reporting practices concerning elder abuse in Alberta, including key informant interviews with personnel who work in direct contact with the elderly
- Identification of services for elderly victims of abuse in seven municipal locations in Alberta
- Key informant interviews with identified service providers in each location to learn more about the services, supports, and resources available to victims
- Development of a self-report survey for elderly victims of abuse, with a focus on reporting, access to services, and effectiveness of services

# Legislative Review

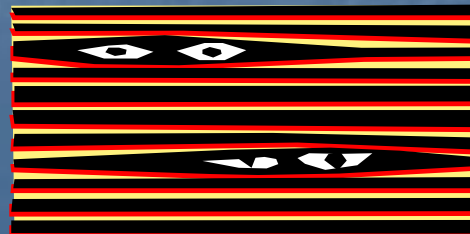
- Contracted Sheryl Pearson (Edmonton, Alberta) as Legal Consultant
- Sheryl conducted a comprehensive review of the legislation in Alberta that plays an essential role in the statutory framework for guarding against and responding to elder abuse – the selected legislation, although not specific to the elderly, is specific in application to vulnerable people
- 6 legislative pieces were reviewed, including:
  - The *Personal Directives Act* (PDA)
  - The *Powers of Attorney Act* (PAA)
  - The *Dependent Adults Act* (DAA)
  - The *Mental Health Act* (MHA)
  - The *Protection for Persons in Care Act* (PPCA)
  - The *Protection Against Family Violence Act* (PAFVA)
- Comparative analysis of similar legislation in other provinces was also done, to identify possible gaps or problems in the existing Alberta legislation, and to consider alternatives to the Alberta model



# Another Piece: Perspectives from the Field



- 15 of the key informant interviews included a specific focus on legislation and reporting practices in Alberta
- These respondents were selected because of their role in responding to incidents of elder abuse and/or providing services to victims
- Provided perspectives from justice, social services, health and government
- Strengths, weaknesses and recommendations for change identified in these interviews should be seriously considered, as these are the people who are expected to address the issue within the framework of the existing legislation



# General Themes

- Alberta is one of the few provinces that do not designate a public authority to oversee and respond to concerns about abuse of vulnerable adults
- There are minimal monitoring mechanisms formalized in the legislation to prevent/detect abuse
- There are limited legislated mechanisms for reporting abuse
- Large protection gaps exist in relation to adults who are abused in their homes, in the community, or financially
- There is limited authority to investigate allegations of abuse
- There is a severe lack of authority to intervene where abuse is suspected
- Interview respondents felt that legislation can be a real roadblock for people working in the field – workers are often limited by its provisions AND the lack of supports to carry it out
- Knowledge of “what’s out there” was dependent on the respondent’s work and the services they provide – those providing intervention services had the most comprehensive understanding of the legislation and how to use it

# Substitute Decision-Making Procedures

- Substitute decision-making legislation exists primarily for the purpose of providing adults with the ability to plan for their own incapacity
- Includes PDA, PAA, DAA, and MHA in Alberta; covers guardianship and trusteeship
- Interview respondents generally expressed concern around the lack of accountability and absence of monitoring mechanisms for guardians, trustees and caregivers
- They questioned the role of the Public Guardian/Public Trustee in this area – some respondents felt that the Office of the Public Guardian/Trustee could be used more effectively
- A recurring theme was that of training for guardians and trustees before appointment – emphasized the need to train, monitor and support caregivers – preventative action

# Adult Protection Legislation

- The nature of adult protection legislation is the prevention of, and response to, abuse and neglect
- Focuses on adults in need of support, assistance and protection; may or may not be limited in application to adults who are mentally incapacitated
- Includes PPCA and PAFVA in Alberta; provides services or arranges for the provision of services
- Provides legal authority to act on behalf of the client irrespective of his/her wishes
- Respondents had mixed feeling about adult protection legislation and mandatory reporting
- Fear that a Child Welfare model would be replicated around the issue of elder abuse – raises a number of concerns in terms of an individual's right to choose
- Respondents also discussed the lack of services to support legislative action – need to establish a stronger infrastructure
- On the other hand, some respondents expressed real concern about “vulnerable seniors” - protection legislation becomes more critical when competency issues are present
- Respondents pointed out that legislation does not have to blanket all seniors in all areas of life, but can be specific to the issues of each individual

# The BIG Picture

- Substitute decision-making legislation in Alberta does not sufficiently guard against or make provisions to effectively respond to abuse
- The adult protection regime in Alberta leaves many vulnerable adults at risk of abuse because of the limited mandate to respond to abuse by third parties and abuse in the community

## OPTIONS:

- 1) *Status quo* legislation
- 2) Adopt new legislation





# Perspectives from the Field: Recommendations from Respondents



- Strengthen social infrastructure to support legislation
- Implement provisions to address misconduct of guardians, trustees and identified caregivers
- Legislate consequences or punitive damages for offenders
- Develop training programs and support systems for caregivers/guardians
- Create Emergency Protection Orders that are specific to seniors
- Legislate the removal of the offender from the home, rather than the victim
- Create a specialized team, perhaps an extension of police services, with legislative power to investigate incidents of abuse and take action
- Create legislation that addresses people aged 50-64 years; some people in this age group have significant issues and are quite compromised health-wise, but have little access to services for seniors
- Extend the PPCA to community situations
- Create adult protection legislation to address seniors with competency issues

NOTE: not all respondents agreed with or suggested all recommendations

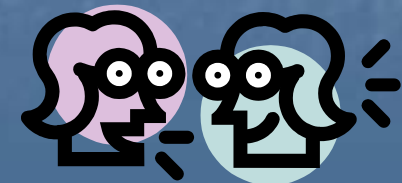
# Identification of Services

- **Advisory Groups:** Action Group on Elder Abuse (AGEA), Edmonton Elder Abuse Intervention Team (EAIT), Edmonton Elder Abuse Consultation Team, Alberta Elder Abuse Awareness Network
- **Networking:** representatives in each municipal location
- **Service Directories:** service maps from AGEA and the Edmonton Community Action Committee on Elder Abuse; *Seniors Programs and Services, Information Guide 2004-2005* (Alberta Seniors); *Directory of Services and Programs Addressing the Needs of Older Adult Victims of Violence in Canada, 2002* (Government of Canada, Ministry of Health)
- **Internet**
- **Site Visits:** met with as many identified service providers as possible, conducted interviews to obtain program information and learn more about the general context of, and response to, elder abuse in each location, and, where appropriate, interviewed respondents on legislation and reporting practices



# Interviews

- 41 key informant interviews
- Purpose: to connect with people who work directly in the field in order to gain a better understanding of how the issue is being addressed and what services are available to elderly victims
- Interview Schedule: questions designed to elicit information about each respondent's program, service or agency and about the context of elder abuse in the community



# Cool Initiatives in Alberta!!



Action Group on Elder Abuse (AGEA)

- Calgary

Elder Abuse Intervention Team (EAIT)

- Edmonton

Community Response to Abuse and Neglect of Elders (CRANE)

- Medicine Hat

Elder Abuse Consultation Team

- Edmonton

The Kerby Shelter

- Calgary

Seniors Safe House

- Edmonton



Senior Connect

- Calgary

Older Women's Long Term Survival Group (OWLS)

- Calgary

Seniors Resource Group – Elder Abuse Guide

- Fort McMurray

Elder Abuse Awareness Program

- Lethbridge

Community Action Committee on Elder Abuse

- Edmonton

Seniors Liaison Unit – Calgary Police Service

- Calgary



# Victim Survey

- Overall objective is to gain an understanding of the opinions and experiences of elderly victims of abuse
- Targeted areas:
  - Type of abuse experienced by the victim
  - Reporting
  - Services accessed (including points of entry and obstacles encountered)
  - Effectiveness of services
- Literature search yielded a number of studies and surveys that were related to the topic at hand, but nothing comprehensively addressed the focus of the project and the targeted areas – used applicable questions and formatting ideas
- User-friendly and audience appropriate: larger font size, survey length, appropriate language and wording, supports and resources
- Advisory Groups and Pre-test Group

## Phase 2 (April 2005 – March 31, 2006):

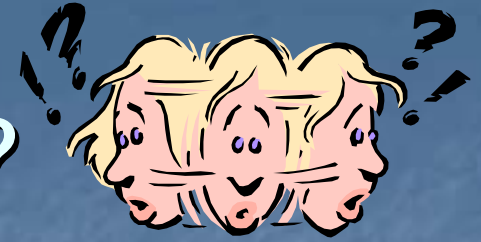
- Distribution of victim surveys.
- Continued service identification. An overall service map and user-friendly service directories for elderly victims of abuse, specific to each location, will be developed.
- Summary of the legislative review.
- Phone interviews with elderly victims.
- Data analysis of surveys and interviews. Findings and conclusions in final report, including suggestions to inform recommendations for change.
- Development of workshops for service providers and frontline staff. Workshops will include a comprehensive outline of the legislative guidelines and existing practices for reporting abuse, as well as recommendations for best practices around access and effectiveness of service, based on the services identified in the study and the experiences of victims.
- Delivery of workshops. One workshop will be conducted in each municipal location involved in the study.

# Victim Survey: Preliminary Findings

- **Distribution May 2005:** surveys administered through service workers and agencies (e.g., Seniors Outreach in Calgary) - timeframe for data collection is 4 months
- **Survey Packages:** instructions for administration, survey, request for findings, information and resource sheet, confidential envelope
- **Request for participation in a phone interview:** in-depth discussion of respondent's experience (Fall 2005)
- **Surveys collected:** late September, early October, 2005
- **So far...**

*Preliminary findings will be presented at the conference...*

# So, what are you doing now...?



- The identification process is being finalized - the service map and user-friendly directories are being developed
- Data analysis of survey information is starting
- Respondents who indicated they would like to participate in a phone interview are now being contacted
- The summary of the legislative review is now complete
- Workshop development is on the horizon...
- Dissemination through workshop delivery, conference presentations and continued collaboration with working groups
- Final Report– project ends March 31, 2006!!

# Implications

- Identifying gaps in legislation and service will inform recommendations for changes in the way the province responds to the issue
- Legislation may be amended
- The organizational structure of agencies may change in order to improve access and service delivery
- Communities will be more informed about the services available to elderly victims of abuse
- New initiatives may be implemented to serve victims of abuse more effectively
- Describing and documenting how agencies deliver services can inform appropriate changes in order to meet victims' needs
- A greater understanding of the experiences of victims will inform future professional development and training in the field
- Awareness around the issue of elder abuse will be raised in the greater community

# Still interested...?

Please contact me:

- With questions
- With comments
- If you would like to see the final results

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