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Ms. Niki Ashton

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• (1535)

[English]

The Chair (Ms. Niki Ashton (Churchill, NDP)): Good afternoon, everybody.

Perhaps we could get started. Our witnesses are ready.

I'd like to welcome two witnesses to our first panel today. From the Canadian Centre for Elder Law, we have Krista James, national director, and from the National Seniors Council, Jean-Guy Soulière, chair.

Thank you for joining us here today. You'll each have 10 minutes to present, and then we'll get right into questions.

I'd like to begin by asking Ms. James to speak.

Ms. Krista James (National Director, Canadian Centre for Elder Law): I'd like to begin by thanking the committee for this opportunity to present today. My presentation will focus on the recommendations contained in our 16-page brief, which we provided last week. The discussion of recommendations will link to features of the legal framework in Canada, as well as to key themes emerging from elder abuse research.

By way of a broader context for this meeting, we have here a short outline of our brief. It contains four sections. Section one outlined the concept of abuse of older women. Section two outlined current federal, provincial, and territorial legal approaches and responses. Section three discussed key social dynamics involved in the incident of abuse of older women. Section four identified areas for policy and program development, areas where we see the potential for national leadership.

Throughout our brief, we threaded examples of elder abuse, of abuse of older women, taken from case jurisprudence to illustrate how elder abuse, abuse of older women, looks different from other dynamics of domestic violence.

Our brief contains five recommendations. I'll get to them in just a moment.

Abuse of older women is a complex phenomenon. There are many different forms of abuse and different kinds of victims, and no single legal framework or social program is likely to capture all circumstances that fall under the umbrella of abuse of older women.

Addressing the abuse of older women thus requires a multi-faceted national strategy. This submission identifies a number of areas where we see potential for the federal government to take further leadership.

First, older women have needs and experiences different from those of younger women who experience abuse and violence. Over the years, communities and governments have developed legislation, programs, and policies that have been successful in assisting other women to stop the violence in their lives; however, few programs recognize the unique needs and experiences of older women.

To highlight some themes discussed in our brief, there are strong links between financial abuse and physical neglect of older women. Abuse of power of attorney or by a substitute decision-maker is a common theme. Chemical or medication abuse is more common in older women, including denial of medication, overmedication, inappropriate decisions regarding treatment, and not getting proper consent for treatment from the older person or the appropriate substitute decision-maker.

Interdependency is a key theme. Women are harmed by people who are dependent on them for care or for financial, emotional, or other support. Sometimes women are harmed by people who are caring for them, but this is not the norm. The other way around is what we see more.

Family relationships are very important to older women, and maintaining these family relationships, in spite of the dynamics of abuse, can be important. There is a strong desire to age in place: fears and anxieties about institutionalization and loss of independence, factors including financial dependency, disability, or illness, can mean it will take longer for women to develop a strategy to live free of abuse. Isolation is also a key factor emerging from social science research.

So the challenge of how to connect with older women in their communities becomes an issue.

Our first recommendation is that the needs of older women can be different from those of their younger counterparts and communities and organizations should be funded to create resource agencies and programs that provide support and assistance to older women who have experienced abuse, with particular emphasis on making those resources accessible to older women who are isolated in some way.

The flip side of this issue is that older women are also diverse, and there is very little Canadian research on elder abuse in marginalized communities such as first nations, Inuit, Métis, immigrants, and low-income people. However, the limited research that does exist suggests that marginalization complicates abuse.

Given this diversity, this will have implications for the types of assistance that will be welcome and helpful in those communities. Further research should be conducted—this is our second recommendation—to identify appropriate strategies and resources that target different communities of older women and also to increase understanding of the dynamics of abuse that are unique to different communities. You'll note in my recommendation that I refer to strategies that are welcome, workable solutions that will be effective in different communities.

Our third recommendation is to focus on prevention. We are an agency that focuses on the law, and what we notice is that laws tend to be reactive. Legislation provides for a remedy in some circumstances of abuse, generally only after abuse has occurred.

For example, in our paper, we go through the different kinds of legal frameworks in Canada. We see legislation for the protection of persons in care, which to some extent addresses the circumstances of vulnerable older women who reside in care facilities, as a way of providing a framework for mandatory reporting.

● (1540)

Adult protection and neglect and guardianship legislation provides some solutions when an older woman lacks mental capacity or has some other kind of impairment that affects her ability to access support on her own. Domestic violence legislation provides some tools in the context of abuse of older women who might fall under that umbrella.

The Quebec charter provides a route for a financial remedy for circumstances involving exploitation of a dependent and vulnerable older woman—of course, only in Quebec. In some jurisdictions, there is public guardian legislation that grants the public guardian or trustee powers of investigation and asset freezing. This would be helpful in circumstances of financial abuse or abuse by a substitute decision-maker.

These capture the kinds of abuse. It's a bit of a patchwork approach to addressing abuse of older women through the law. Of course, layered on top of that, we have the Criminal Code framework, which provides for a remedy in a context of a criminal act. A lot of the Criminal Code remedies tend to be rather offender focused, and they exclude forms of abuse that aren't a crime, such as emotional abuse and abuse before it manifests to the level of a crime.

Our recommendation number three is that an effective national strategy for addressing abuse of older women include strategies for prevention.

What does this mean? This means providing women with alternatives to tolerating abuse by addressing some of the underlying factors that contribute to abuse, such as: economic insecurity; access to resources; awareness of rights; destigmatization of victimization, for example, through public awareness campaigns; and, assistance with caregiving responsibilities. It should also include training and ongoing support for various professional and service sector communities—health, banking, and justice, to name a few—in relation to their work and coming into contact with older women who might be victims of abuse.

Our fourth recommendation is focused around empowering older women. One of the challenges with a legal approach is that what we

see thus far in Canada is that for a lot of the legislation and policy that identify remedies and circumstances of risk and abuse, they're often protective remedies, protective measures that take control, independence, and power away from the vulnerable woman.

For example, guardianship and substitute decision-making measures are certainly necessary in some instances of mental incapacity, but they do take decision-making power away from vulnerable women.

Legal institutions focused on mandatory reporting and disclosure of personal information also undermine autonomy, privacy, and free decision-making. For instance, measures that are focused on putting a woman into a retirement facility to keep her safe again remove independence.

Our fourth recommendation is that abuse is generally understood, at least in the context of domestic violence, to be an act of control that undermines autonomy, power, and confidence of the victim. With that in mind, legal and social policy should not prioritize protectionist goals at the expense of undermining women's autonomy and personal power; rather, legal and policy strategies should be developed through a lens that focuses on empowering older women survivors of abuse.

How do we do this? Some examples are: raising awareness of options; increasing access to services; allowing women to make choices about what steps to take; and providing access to the legal and financial assistance required to follow through on those difficult decisions.

Finally, our fifth recommendation is to focus on practical resources and specific communities. At the national level in the last years, there has been tremendous success in Canada in raising awareness both about elder abuse and about domestic violence.

One of the challenges becomes how to raise awareness of abuse through the combined lenses and how we knit the analysis together and provide people with information on the concrete steps they can take to address abuse in their communities. In terms of concrete steps, of concrete agencies, there remains a lack of public awareness about what an older woman can do if she experiences abuse and about what concerned individuals can do if they believe an older woman is being mistreated, exploited, or abused.

To articulate our fifth recommendation, there is a need for further awareness-raising about abuse of older women, with the focus on identifying available resources. People need to know how they can participate in supporting older women in their communities to access timely support and assistance.

●(1545)

Given the threat that isolation poses in the area of elder abuse, older women need practical information that pertains to locally available, accessible resources, and public awareness initiatives should target remote communities. Currently, there is already less access to information, and there are possibly fewer resources to draw upon at a time of need.

Thank you very much for this invitation. Those are our submissions today.

The Chair: Thank you very much, Ms. James.

Monsieur Soulière, we'll continue with you for 10 minutes.

[Translation]

Mr. Jean-Guy Soulière (Chair, National Seniors Council): Thank you very much, Madam Chair.

As you heard at the beginning of the meeting, I am the chair of the National Seniors Council. I was appointed in 2007 as the first chair of the new National Seniors Council. In 2010, my mandate was renewed for another three years.

I would like to thank you for inviting me to discuss this topic with you. This is a major issue for both the council and for Canada as a whole. It is a challenge for our society.

[English]

I am pleased to have the opportunity to speak about what the National Seniors Council has learned about elder abuse and the recommendations it has made to the government on this matter. A lot of the stuff that Krista mentioned in her presentation is about the issues that were raised with us when we went across the country to consult with experts, front-line workers, and older people themselves. We did produce a report, which I'm sure you all went to our website and read, and it's called the "Report of the National Seniors Council on Elder Abuse".

I should point out, though, that we were criticized a little for using the term "elder abuse" because, to a lot of people in Canada, "elder" means very different things. For example, in the native population, "elder" does not necessarily mean older, so we should have called it the report of the national seniors on older abuse, as you have in your brief.

Let me give you a little bit of background on your National Seniors Council. It is a council that reports to three ministers: the Minister of Human Resources and Skills Development, the Minister of Health, and the Minister of State for Seniors. The Minister of State for Seniors is the day-to-day overseer of what the council does.

The council has a maximum of 12 members. Right now we are in the process of selecting other members to the council, because the terms of five of them terminated within the last six months. The government is now appointing or at least looking at members to be appointed to the council.

I have the pleasure and the honour of serving with people who have expertise in a whole lot of areas. We had the former president of the Canadian Association on Gerontology as a member. We had Daphne Nahmiash, whom some of you may know, from Montreal, a

professor, an older woman herself, who has chaired many committees on elder abuse or the abuse of older people and is participating, in her eighties, on many other committees that deal with this subject. That's the type of members we have on our council.

The first priority that was ever given to the council for study was the matter of *la violence contre les aînés*. Why was this picked? It is because it is a hidden matter in Canada. It was hidden for a lot of years. As Krista mentioned, there isn't enough research yet on the whole situation, and although a certain percentage of older Canadians are being abused, it is only those cases that are reported that we hear about. An awful lot is not reported, as we found out in consulting across the country on this matter.

As I mentioned, we did provide the government with recommendations on how to deal with this matter. I have an understanding with the ministers with whom we work and to whom we report that our documents, our reports, are living documents. In other words, it's not a report that is put on the table to gather dust. Every time the council meets it goes over all the recommendations it made in previous reports to see what it can raise again as an issue with the ministers and with the government.

In 2007 the government asked the council to look at the abuse of older people. It was Senator LeBreton, who was the minister responsible for the National Seniors Council, who decided on that first priority. What we did was go around the country to find out what it was all about—and the type of abuse.

I was surprised. I thought about physical abuse. Immediately when you talk about abuse, you zero in on physical abuse, but as Krista mentioned, financial abuse is number one—the abuse of older people in a financial way. When you have questions, I have a whole lot of anecdotal experience with people and what they told us about this matter.

●(1550)

We went across the country and had round table sessions in Moncton, Montreal, Toronto, Calgary, and Vancouver. Over 50 stakeholders representing all sorts of different dimensions in regard to these issues participated in these sessions. Boy, did we hear a lot.

The council's approach in dealing with issues is to produce two reports. The first one is what we call the "what we heard" report, and this is a summary of the discussions at the round table. The second report is our analysis of the what we heard report, the research, and then the recommendations that we made. We did provide the government with a report and, as I said, I'm sure you've all read it.

We did find out that there are a whole lot of older people, but especially older women, who are being abused. It's just a numbers game in one way, because there are far more older women at this time in our society than men; therefore, the older women tend to be abused more. Also, there's the link between poverty and abuse. The low-income women...there are far more of them than men, and there's a correlation between poverty, low incomes, and abuse as well.

What we recommended to the government was to implement a national awareness campaign to help increase awareness of elder abuse. I'm sure you all saw the commercials on TV. They usually come out in October. The government has repeated them from year to year. They are striking. Within 30 seconds to one minute, you really see different abuses happening, and these are not rare occasions.

The government put millions of dollars into the awareness campaign. One of the things that bothers me a little is that when these commercials come on, there is apparently an increase in the telephone calls to police departments and many are not well equipped to deal with the situation.

We talked about conducting research to support the updating of existing research on the causes, incidence, and prevalence of elder abuse.

We recommended working in partnership with national organizations that have shown leadership in the dissemination of information. In a whole lot of our round tables, we found that the duplication of effort was just terrible. People who knew one another and were from the same city were doing the same things, but they didn't know about it. This was discovered at the round tables.

We recommended providing support for volunteers to build capacity within the volunteer sector to respond to elder abuse, as well as examining federal legislative and legal frameworks to better understand how they may be applied to cases of elder abuse.

• (1555)

[Translation]

The report was prepared in 2007. The National Seniors Council is proud to see that the government has taken action based on some of our recommendations. I commend you for making this issue a priority, since it is a cancer in our society and we have to address it.

Thank you for giving me the opportunity to discuss this topic with you. Thank you very much.

The Chair: Thank you very much, Mr. Soulière.

We will now move to the question period and Ms. Truppe will go first.

[English]

Mrs. Susan Truppe (London North Centre, CPC): Thank you, Ms. James and Mr. Soulière. We appreciate your coming today and taking the time to be here. This issue is very important to all of us in all of the studies that we're doing, so I'm sure we all have many questions.

Ms. James, this one is for you. You mentioned that there was a link between financial abuse and neglect. Can you elaborate on that a little more?

Ms. Krista James: There's a link in a number of ways, but one of the most important ways in which there is a link is that financial abuse may be what is causing the neglect.

If there's a situation where an adult has allowed someone else to have control over their finances through a power of attorney, for example, you may see an older person who is missing basic necessities that you think a person with their level of income should have, such as food. Maybe the fridge is empty. Or maybe they don't have the assistive devices they need. Maybe they don't have transportation to get to community events to keep them involved and reduce social isolation.

If the person in charge of the finances is not making sure that the money is being spent to meet the needs of the older person... Sometimes there's confusion among people appointed under power of attorney about what their responsibilities are.

Mrs. Susan Truppe: Thank you.

Mr. Soulière, you mentioned that when you went around the country, you found out that financial abuse was number one. I'm surprised by that as well.

Besides financial being number one, what else came from the discussions? What were the top three items, say, that were reported to you?

Mr. Jean-Guy Soulière: Well, number one is financial. Then—and it's very difficult to measure—the others include physical, sexual, emotional, and psychological. As well, ageism is a form of abuse of older people.

These are the types of abuse we discovered. They are mentioned and defined in our report.

Mrs. Susan Truppe: You also talked about the advertising. I remember the advertising, and I thought it was very well done. You obviously felt that it helped seniors, since you said there was an increase in phone calls.

Were you able to measure anything else from that?

Mr. Jean-Guy Soulière: Not really; there wasn't a follow-up. I know that the department website and our website both received a lot of comments on how valuable they were. But that's anecdotal. When you go to conferences, you meet some of the same people who are involved in it. In Ottawa they have two detectives, I believe, working on the topic of elder abuse. They did mention to me, when I met them in another context, that there had been an increase as soon as these happened.

Awareness is very important in all of this.

Mrs. Susan Truppe: Yes. I do remember the ads. I thought they were very well done.

Ms. James, in regard to the kind of sentences that seniors' abusers face, can you elaborate on some of the sentences and if you feel they're strong enough? What is your opinion in regard to the sentences they receive?

I think there are probably different sentences for different crimes with elder women, but maybe you can elaborate on a few of them.

• (1600)

Ms. Krista James: In terms of the scope of research we've done thus far on sentencing where a crime involves an older adult victim, I can't speak to specific length of sentencing right now. What I would say is that actually we found that the age of the victim was rarely mentioned in terms of decisions about appropriate sentencing.

That was the biggest surprise for us. We expected to see more cases where there were older victims. There was a discussion about what might be the appropriate sentence if there were aggravating factors given the advanced age of the victim, but we actually found very few reported criminal court decisions where age of the victim was considered significantly relevant.

Most often we saw it with B and E cases; I guess those would be assaults. Breaking-and-entering cases where offenders were targeting neighbourhoods where it was known that there were older adults living alone in those communities—that was the most common situation where it came up. I don't even recall a case where it came up in a domestic violence context.

Mrs. Susan Truppe: I haven't read your report, but there's nothing that says what type of sentences these abusers are facing, whether it's physical abuse of an elderly woman or financial or sexual? We don't have stats on that?

Ms. Krista James: No, not that I'm aware of.

Mrs. Susan Truppe: Okay.

Am I still okay on time, Madam Chair?

The Chair: You have two minutes.

Mrs. Susan Truppe: In a statement we had previously, the Public Health Agency of Canada mentioned that a gender-based approach that considers treating older women and older men identically will not ensure beneficial outcomes because men and women occupy a different socio-economic status and experience different living conditions.

I'm wondering if either of you could tell me more about the gender-based differences you might have experienced with your organizations.

Ms. Krista James: My research is academic. I don't work with vulnerable women one on one.

What we notice, when people talk to us about cases or when we look at cases, is that there could be a dynamic of dependency, especially with an older woman who's not the primary breadwinner and doesn't actually have control over the finances. Becoming independent of an abuser becomes challenged by that kind of financial interdependence.

I think also this issue depends on the generations that you look at. We need to be mindful that women's financial independence and savvy and capacity depend on the generation you look at and the community you're looking at.

So it's kind of hard to generalize. We do know, however, that poverty significantly undermines a woman's ability to make choices when she's trying to get out of an abusive situation. Money often

equals options. Money sometimes also goes hand in hand with knowledge of options as well, such as access to resources.

Does that answer your question?

Mrs. Susan Truppe: I think so.

That's good. Thank you very much.

The Chair: Thank you very much, Ms. Truppe.

We're now moving on to Ms. Borg, who will also share her time with Ms. Freeman.

[*Translation*]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Thank you very much.

My question is for Ms. James. You said that money often equals options. Ms. McLachlin, from the Supreme Court of Canada, has said that people are having difficulty getting justice because of cuts to legal aid.

Based on your research, would you say that the difficulty in accessing legal aid will actually prevent seniors who are victims of violence from using the justice system?

[*English*]

Ms. Krista James: Yes, absolutely. In terms of certain contexts, if there's no access to legal aid, for some women there can be no access to legal options. Access to a family lawyer is going to be crucial to that woman's independence, especially in a domestic violence context where there are financial and property issues.

[*Translation*]

Ms. Charmaine Borg: Thank you very much.

My next question is for Mr. Soulière. I have read a number of newspaper articles dealing with the situation in Quebec. I know you are a Quebecker, so it is very relevant for you. No?

Mr. Jean-Guy Soulière: I am a good old Franco-Ontarian from Lowertown, Ottawa.

Ms. Charmaine Borg: Okay, you are Franco-Ontarian. That's very good too.

The reason why I am mentioning this is because we are not going to hear from a Quebec witness, unfortunately.

Studies show that only six CHSLDs in Quebec were ranked at 90% or more when they had an inspection. Standards are clearly a problem in long-term care institutions.

In your opinion, would a federal system of standards be a practical and effective solution? Could a system like that ensure that long-term care facilities meet specific standards?

• (1605)

Mr. Jean-Guy Soulière: You bring up a very good point. We have also raised it in our report. There are no national standards. It varies from province to province.

We have also noticed something else. In long-term care establishments, various types of people are hired. They are not trained to provide care to seniors. In addition, they have different ideas. For example, when we travelled across the country, we were told that those institutions hire people from various ethnic groups that don't necessarily have the same attitude towards seniors as other people. We were told it was a problem.

The short answer to your question is yes, standards should be put in place. It is certainly something that the federal, provincial and territorial committee should look into. That being said, we always go back to the issue of jurisdiction: it is provincial, not federal.

But elder abuse is still prevalent across the country. One province is not worse than another. So yes, we should have standards. We should perhaps take a closer look at this issue.

Ms. Charmaine Borg: I will yield the rest of my time to Ms. Freeman.

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Thank you.

[English]

Just following up on that, with standardization, could it be done through federal legislation? For example, through renegotiating the Canada Health Act, perhaps...? I don't know if you have an opinion.

Mr. Jean-Guy Soulière: I don't know. I'm not an expert on that. Our approach in our reports—and we tell this to ministers—is that there's absolutely no area the federal government can't go into.

It depends on how you negotiate with the province or how you say “here's the role of the federal government in this matter”. We do not make a distinction between federal or provincial in our recommendations. We just say, “Here's what the federal government could do”.

Ms. Mylène Freeman: I notice, Ms. James, that in recommendation three, you say that there needs to be “training and ongoing support for various professional and service-provider communities” in justice. I don't know if you could elaborate on that.

I've heard in my research that when it comes to prosecuting crimes of elder abuse, it's not that the Criminal Code is insufficient, but rather that the cases themselves are being neglected due to ageism or neglect, or just not doing the right process for someone who is elderly. I don't know if you could speak to your concrete recommendations on that.

Ms. Krista James: Part of what I'm speaking to in that recommendation is that people working in different sectors are often the front-line people. If an older woman has gone into a place where she's reaching out for assistance—it may be at a bank, in a hospital where she presents with injuries, or even when someone makes a call to police—these sectors are well positioned to offer support and to refer the woman to the right people who can actually help.

At the front lines in these sectors, there's often a lack of awareness of who in the community might be the most helpful to this woman. It really depends on the community you're in as to what kind of resources a woman might be able to get access to.

All those sectors have made improvements over the last few years in understanding elder abuse and the abuse of older women as a phenomenon, but we need to move forward as well.

Ms. Mylène Freeman: Mr. Soulière, you mentioned that police departments aren't well enough equipped to deal with reports of abuse when they do increase. We know they're probably under-reported, so perhaps you could talk about why they're under-equipped.

• (1610)

Mr. Jean-Guy Soulière: It's like anything else. I don't know if I put it in those terms, but the point is that in a lot of police departments across the country there's no specific group to deal with matters of elder abuse.

In certain police departments, like the Ottawa one—and there are three or four places in Canada—there are specific people who are trained to deal with the issue. Are there enough people? The standard answer is that there are never enough people to deal with these issues. Everyone will tell you that.

Speaking to the previous question, one of the things we found was that the legal system is so complex it scares certain older people from complaining and from going before the courts. They are scared of the system. So one of the things we mentioned in our report is to try to simplify this and make it more accessible for older people. As we heard, a lot of people were so scared of the legal system that they didn't complain about their abuse.

The Chair: Thank you very much.

Now we'll move on to Ms. O'Neill Gordon.

Mrs. Tilly O'Neill Gordon (Miramichi, CPC): Thank you, Madam Chair.

I thank the witnesses for being with us today.

As we all know here, this is a very important topic that's dear to all of us. Our government, as you have said, has been reaching and looking for ways to help our elderly.

We also know that, as you mentioned, those advertisements had a great effect on people. At the same time, there are many people in the neighbourhood who know about the abuse that is going on. You mentioned that the elders are afraid to report abuse because of having to go to court, but sometimes we have community members who are even more afraid to get involved.

Is there some means by which they could be assured that all of this is confidential, and a way in which they could know how to go about it...? That is probably what I am interested about. I'm interested in hearing those kinds of ideas in my constituency.

Mr. Jean-Guy Soulière: It's hard to comment on that, in the sense that if you know an older person is being abused, why don't you report it? People in certain communities simply don't want to do it; they don't want to get involved.

Everything is confidential when you go to the police and you report. Certainly they don't go out and publish your name, saying that you're the one who reported it. This is kept confidential. If you go to report financial abuse, there are certain banks that are doing excellent work in providing information to older Canadians on scams. Of course, you hear almost every day of older people being gyped out of their money through these telephone or computer scams or what have you.

Is there a solution to this? The government can't do everything. You need community involvement. This is where information and awareness become part of the solution.

Mrs. Tilly O'Neill Gordon: Do you have a comment, Krista?

Ms. Krista James: Yes, if I may. For me, that hearkens back to our recommendation number five. People in communities who are concerned need practical information on locally available resources.

I think often people care about the older person in their community, but it's hard to take that step forward when you actually don't know what to offer by way of assistance. Sometimes all you can offer is a listening ear and, actually, that can be a lot.

The key message that I often like to put out is that sometimes it's appropriate to report, but reporting isn't always the right solution. Sometimes the right solution is to have the older person over for coffee, talk about how they're doing, and see if you can find ways to be a friendly neighbour and offer resources in your community. A friendly neighbour strategy like that could be a tremendous strategy nationally.

Mrs. Tilly O'Neill Gordon: That's very true.

Quite often in communities we see things like that happening. There are a lot of communities that have socials for seniors, as we know, and it's something that they certainly enjoy. Those kinds of measures are certainly well taken care of and money put into those events is certainly a plus for all.

Do you think there are any gaps in the Criminal Code with respect to elder abuse?

• (1615)

Ms. Krista James: Yes and no. My perspective is that elder abuse is not a single Criminal Code crime...so that legislation generally applies to a victim and an offender regardless of age. We have noticed that there's an absence of discussion about the age of victim in terms of sentencing, so maybe there could be consideration of whether age-related vulnerability is an aggravating factor in terms of sentencing. There's a wide discretion for the judiciary in terms of sentencing, however, so...

Mr. Jean-Guy Soulière: Again, when we went out to discuss this matter across the country, it was a split between those who felt the Criminal Code was sufficient to deal with the situation and those who said, no, we need special measures in the code. We didn't make any specific recommendations except to say to do research in this area.

I understand that the government is putting forth some recommendations to deal with this. I just heard this *entre les branches*, but I don't know what these recommendations would be or what changes are being proposed.

Mrs. Tilly O'Neill Gordon: I listened with interest to the recommendations you've put forth. I'm wondering if there's any one recommendation that's easier to implement than any other, or is there one that's really difficult and that you have a hard time seeing being implemented in the community?

Mr. Jean-Guy Soulière: There are a lot of recommendations.

I come back to the first one: awareness and information. That's number one.

Then comes giving sufficient resources to deal with it, and training. Maybe there should be a national forum of police officers on elder abuse, to deal with the situation across the country; that might be another idea of how to deal with it.

Of course, speaking with older people and finding out what's going on out there.... We had the front-line people, the volunteers working with older Canadians, give us some anecdotal stuff you wouldn't believe. It's in the report what we heard. It's very interesting.

Mrs. Tilly O'Neill Gordon: Can you think of anything else to add, Krista?

Ms. Krista James: In terms of prioritizing recommendations, I think one of the easiest steps is to map out existing resources. Resources change, so that needs to be maintained. That becomes a challenge. Providing a road map of all the different resources available in different communities.... We've tried to do that nationally, but you want to get kind of infinitely specific in terms of looking at specific communities, because a national organization sometimes is not going to be helpful to somebody in Prince Edward Island, for example. You need to help people map out what's available in their communities and keep those organizations going.

I agree with Mr. Soulière that we need to hear more stories and understand abuse better, especially in terms of different kinds of communities where women are further marginalized for other reasons. But I think that's also challenging for different reasons: how do we gather that information in a respectful and useful manner? Going into communities and asking for information is a delicate undertaking, but we need to understand the problem in order to craft—and to help communities craft—solutions that are workable.

Mrs. Tilly O'Neill Gordon: That's my time.

The Chair: Thank you very much.

At this point, before I turn to Ms. Sgro, I do want to note that we'll be going until 4:30, but I understand, Ms. James, you have a flight to catch, so whenever you have to excuse yourself, please do so.

Before you do leave, I'd like to thank you on behalf of our whole committee, but I do understand you have a few moments with us, so I'd like to turn to Ms. Sgro.

Hon. Judy Sgro (York West, Lib.): I will ask Ms. James a question first.

Thank you very much for being here.

I was reading with quite a lot of interest about Nova Scotia and the very aggressive way they have chosen to be an example for all of Canada in regard to how they deal with the issues of abuse of the elderly. They've done so to the point where they've made it mandatory to report abuse or the concern that people should have about seniors.

Is there a reason that the other provinces haven't followed suit in regard to Nova Scotia? Or again, is the concern that the law is the area that is best to deal with issues of abuse of the elderly?

• (1620)

Ms. Krista James: I will answer that with quite a bit of speculation on my part, but I think some jurisdictions have not followed the route of Nova Scotia because they don't think that's the ideal approach to take. Some groups will say that mandatory reporting is the best route to take: put a positive obligation on everyone to report. It requires a robust infrastructure to respond to that reporting.

A lot of people would say that mandatory reporting is not the ideal response, that the ideal response is to provide resources and support to the older person who is a victim or in danger, and reporting doesn't necessarily result in any of those things going to the older person. Mandatory reporting can sometimes only amount to things like breach of privacy and a lot of intrusion on the older person's life. That's a lot of sound and fury signifying nothing in terms of positive impact.

Hon. Judy Sgro: In reading your report and listening to your comments, my sense is that you're not so sure that the heavy arm of the law is the way to deal with a lot of this abuse. Am I mistaken in reading this?

Ms. Krista James: No, you're not mistaken. I certainly appreciate the importance of the criminal framework for prosecuting in circumstances where there has been a crime. I'm not convinced that this is always the response the older person wants when she has been victimized—often because the person who's harming her is a very close person in her family. She may not want her son to go to jail. She may not want people in the neighbourhood to know that her son has hurt her. She may simply want community support for her family to help negotiate a healthy way out of this really bad dynamic that's resulting in harm to her.

Hon. Judy Sgro: Mr. Soulière, you mentioned the issue of financial abuse, which you outlined in the report, and said that you'd like to give us examples of some of those cases. I'd like to give you this opportunity to tell us a bit about that.

Mr. Jean-Guy Soulière: We heard some stories, some tear-jerkers, as you say in English.

A woman was being financially abused by her nephew. She lived in an institution. The bank was concerned that more money was being taken out of her account than was expected. They didn't do anything until it came to a crisis situation. The woman knew that her nephew was doing this. One of the volunteers at the institution where she lived said, "If you know about this, why aren't you reporting it?" Her answer was, "He'll stop coming to visit me." That is the type of anecdotal stories we hear.

Some of the banks have taken it upon themselves to deal very closely with police when they suspect that something is happening.

They will contact the police on a very confidential basis and mention it, or they'll bring in the older person, say they are concerned about what's happening with their bank account, and try to see if there is a problem with it.

Of course, there are scams, mostly by telephone but also by computer, and we need to make older people aware of all these scams. A lot of older people are starting to be computer literate and they get fooled by certain things that are being placed on their computer, so they need education and information on that.

There are a lot of different ways in which you can financially abuse someone.

Hon. Judy Sgro: One of the significant groups that I think is also trying to deal with this issue of abuse is the multicultural community. Some communities have significant language difficulties. Sometimes we hear of this in our constituency office, but they would never talk to anybody else about it.

It's very difficult. The individual's pension comes in and the daughter, daughter-in-law, or son, whoever, takes the cheque, and the person sees absolutely nothing of it. Yet there's nothing you can do if the individual doesn't want to end up being alienated from their own family.

• (1625)

Mr. Jean-Guy Soulière: Or they might be of a different culture and see things very differently from how you and I would see them. We make a point in our report—and I think you mentioned it also—that we certainly did not go far enough in dealing with ethnocultural groups. With regard to abuse of the elderly or marginalized people, we certainly did not go into enough detail.

Of course, when you have round tables, you have a cross-section of the community, but one or two different ethnic groups is not sufficient for us to make any conclusion or recommendation.

Hon. Judy Sgro: If they're having significant problems in our cities—and I represent a group in the city where there are certain resources around—rural communities and small communities must have a significantly greater problem in trying to deal with these kinds of issues.

Mr. Jean-Guy Soulière: They could have. I don't have the research on that.

Certainly, if it happens, I don't think the percentage would be any higher in rural communities than in urban communities. I simply don't know.

Hon. Judy Sgro: There's a lack of resources to solve some of these issues, I would think.

Mr. Jean-Guy Soulière: That could be an issue.

Hon. Judy Sgro: Thank you very much, Madam Chair.

The Chair: Thank you, Ms. Sgro.

We do have a couple of minutes before we finish with the panel. Is there a quick question from the Conservative side?

I saw Ms. Young's hand go up first.

Ms. Wai Young (Vancouver South, CPC): Thank you so much for the time.

I have a quick question for Ms. James. I understand what you're saying in terms of your point that the elderly person may not want legal ramifications. But just in case they do, what do you see as some of the limitations, the restrictions, or the criminal law that's just not there and that we need to be looking at to further support the elderly who are abused and want to seek ramifications?

Ms. Krista James: I think the support would be not so much in criminal legislation but in the victim support structure. Victim assistance exists in different communities. Historically, it hasn't been designed around meeting the needs of older people, who would have different needs. Putting an older person in a transition home is going to be different from putting a younger woman in a transition home, so we have to look at some of those solutions.

Ms. Wai Young: May I be more specific on the question?

Ms. Krista James: Sure.

Ms. Wai Young: Because my mother experienced such a case, and she was seeking some legal ramifications and was told both by crown counsel and by the police that she couldn't go forward with her case.

Once again, you're the Canadian Centre for Elder Law, so can you specifically narrow it down to where in the law you see gaps? Or are there no gaps? I mean, do we have enough legislation and law in place?

Ms. Krista James: I don't see the problem right now as being a hole in the criminal legislation. I think the holes would be in the delivery. Maybe there's a crime and the front line enforcing the legislation doesn't recognize that a crime has occurred. Maybe there's a need for assistance and it's not a crime. That doesn't mean you don't need assistance just because it's not a crime.

We need a more robust response that funnels people to the right kind of assistance, whether they present as having been victims of crime or they need something else.

I think there is a need for further support for law enforcement, for them to understand different forms of elder abuse of older women, to know how to dig deeper to understand what's going on within that family, in a respectful way, to provide support for older women, and to promote prosecution, if that's the right solution.

Ms. Wai Young: Mr. Soulière, with regard to whether you get more incidents or reports at the police station, you're saying they don't have enough resources or training or whatever it is to respond or even to know where to refer the person's who is in need.

Mr. Jean-Guy Soulière: Yes, that's what we heard. I'm not suggesting that this is a researched answer. What I'm suggesting is that it's what we heard from police people themselves: that they certainly could not respond to all of the cases they have heard about.

Ms. Wai Young: So what I'm hearing is that people are reaching out to the law to seek support and/or assistance of some kind, but they're not getting that assistance they need...?

● (1630)

Mr. Jean-Guy Soulière: The police investigate and sometimes the case is simply not put forth. Maybe there wasn't any abuse. As I said, this is not researched information. It's anecdotal and it's based

on what we heard. Given the lack of research in the area, we certainly didn't make any recommendations.

Ms. Wai Young: So we have no statistics, then, on police reporting and whether or not that actually translates to support assistance referrals and whether that translates to legal cases or—

Mr. Jean-Guy Soulière: I have not seen any statistics in that area.

Ms. Wai Young: Okay. Thank you so much.

Mr. Jean-Guy Soulière: You may wish to call the various police departments to see if they keep statistics. That might be a good way of finding out.

The Chair: I'd like to thank Mr. Soulière and Ms. James for joining us here today. Thank you for all the wisdom you've shared with us.

That brings us to the end of this panel. We will break for a couple of minutes while our next panellists get ready to join us.

● (1630)

_____ (Pause) _____

● (1635)

The Chair: I would like to call us back to order, please. We have our next group of panellists getting ready to go. It's exciting to know that we'll be hearing from people who have joined us from across the country.

I'd like to introduce our panellists today. From the Newfoundland and Labrador Network for the Prevention of Elder Abuse, we have the coordinator, Ms. Elizabeth Siegel. From the Nova Scotia Department of Seniors, we have the CEO, Ms. Valerie White.

Thank you for joining us.

From the Ontario Network for the Prevention of Elder Abuse we have the executive director, Ms. Teri Kay, and regional consultant, Ms. Manon Thompson.

Thank you very much for joining us here today.

We will begin by listening to Ms. Siegel from the Newfoundland and Labrador Network for the Prevention of Elder Abuse.

● (1640)

Ms. Elizabeth Siegel (Coordinator, Newfoundland and Labrador Network for the Prevention of Elder Abuse): Hi. Thank you for having me here today.

I should say that I'm presenting wearing two hats today. I'm from the Newfoundland and Labrador Network for the Prevention of Elder Abuse, which is a brand new organization, and I'm also involved with the Transition House Association of Newfoundland and Labrador, which is the provincial organization for all of the provincially funded women's shelters in Newfoundland and Labrador. I want to include some data from them as well.

I want to give you a quick overview about where seniors live in Newfoundland and Labrador. We have a population of about half a million in 300 different communities. We have approximately 150,000 people in the capital area, and everywhere else is a smaller community. We have many seniors in much smaller communities, and in some cases, we're talking about 200 people. There is considerable migration of working people to the capital city, which means we have many seniors who are living in continually more isolated situations.

Newfoundland's is also an aging population, very much so. In 2006, 13.4% of the total population was aged 65 and over. By 2016, seniors aged 65 and over will represent about 20% of our population. By 2026, they'll be 27% of it. At that point, I heard recently, the populations of Newfoundland and Labrador and Japan will be the oldest populations in the world. This means, obviously, that elder abuse is a concern for us as our senior population grows.

I should say that there haven't been any recent or current studies in Newfoundland and Labrador, nor are there any centralized systems to capture elder abuse statistics, so unfortunately I don't have any hard data.

But what I am going to give you is some numbers from the Seniors Resource Centre of Newfoundland and Labrador information line. This is a non-profit organization across Newfoundland and Labrador. They have a toll-free information line that is answered by seniors. It is really there to provide information and referral for any kind of service; it's not elder abuse-specific. However, back in 1990 they noticed that they were starting to get elder abuse calls. There were just three calls back then. By 2005 they were receiving 189 elder abuse calls. By 2010 there were 87.

This is a drop, but I think that's because of public awareness and because people are being referred to different sources. The numbers might sound small, but when you think about the fact that this is not an elder abuse line and yet these calls are coming in, they are actually quite significant. A large number of the calls coming in concerned financial abuse, but there were also calls around emotional and physical abuse and neglect.

There has also been a study called "Community Health Needs and Resources Assessment in Newfoundland and Labrador", a study on seniors' issues. This wasn't specifically around elder abuse, but there was an elder abuse question in it. They asked 821 seniors in our province whether elder abuse was a problem, and 483 or 59% said no, 26% said somewhat, while 15% said they saw it as a major problem.

Because of these calls coming into the Seniors Resource Centre, the centre developed several projects to deal with them. They developed a speakers bureau about elder abuse and an interagency elder abuse committee to discuss the issue and share information. They did a guide, *Looking Beyond the Hurt: A Service Provider's Guide to Elder Abuse*, to help service providers understand where to refer people affected by elder abuse.

From this, the interagency elder abuse committee became the Elder Abuse Committee of Newfoundland and Labrador. It consisted of both government and community representatives. They worked together to develop a strategic plan to address elder abuse in

Newfoundland and Labrador. This strategic plan ran from 2005 into 2010, and it made recommendations around six key strategic elder abuse issues. These were: public awareness and education, elder abuse legislation, a community response to elder abuse, training and screening for service providers, caregiver support, and research.

● (1645)

This was presented to government. I'm afraid that it was never officially adopted, but we recently did a review of the plan and were pleased to see that about 70% of what we had recommended had actually occurred. The areas that we feel still need development are screening for service providers, specifically around the home support area, and research.

One thing we wanted to do as part of the strategic plan was develop a community response, a network to ensure that seniors experiencing abuse didn't fall through the cracks. We had a project that was funded by the national crime prevention strategy and the Public Health Agency of Canada.

We went out and talked to the community to develop our own plan. We visited 26 communities, did more than 35 consultations, and spoke to approximately 400 people. This was done throughout our province. I can tell you that in every single community we went to, we held a public meeting, and in every single meeting there was at least one person who came forward afterward and told us they were being abused. It is really an incredible problem.

We asked seniors how they wanted to be helped. The answer is probably not surprising: they said they want options in how they ask for help. Some said they felt more comfortable calling a 1-800 number so they didn't know the person at the other end of the line. Some wanted to talk to people in their community.

They said that they wanted a community-based option, especially in the smaller communities; that there has to be accountability and follow-through; and that there also needs to be a way to deal with systemic problems.

Based on what we heard, we developed a model. Just to give you an idea of some components of our model, we are: a central elder abuse resource line; a provincial office; regional elder abuse consultants; response teams—these are multi-disciplinary teams to discuss cases; senior navigators in communities, who actually are trained seniors within communities who can be there as another person for seniors to talk to if they want help; a seniors' advocate office; and basic standards of supports for abused seniors.

As we did this work, we realized that a lot was going on in our province and that we needed to become a provincial network. I'm pleased to say that on October 4 we officially became the Newfoundland and Labrador Network for the Prevention of Elder Abuse. If you want to check us out, our website is www.nlnpea.ca. We consist of both government and community partners. Our goal is to share information about what is going on and to help improve referrals in the province.

There are other initiatives going on in our province. The Seniors Resource Centre has peer advocates in more than 80 communities. These are volunteer seniors who are trained to listen and to talk to seniors. They are getting additional training on elder abuse this year. They are being trained on how to ask the questions and are also giving presentations on the issue.

Our Department of Health and Community Services had a campaign about violence against older persons in 2008. This consisted of brochures, radio ads, and posters, and I think it was very successful.

We have something called regional coordinating committees, which are regional networks of anti-violence groups. They have been doing a lot of awareness issues in the community.

The provincial government is currently developing a training program for service providers. They're dealing with health boards, police, and home support, and the first phase is due to roll out soon. We're excited about that.

I think the public awareness of the issue has come a long way, but now we need to focus on coordinating services. If people are told to reach out and ask for help, they need the services to support them.

I'm going to switch my hat a little now and talk about some information from the women's shelters.

We have 10 shelters in our province, four of which are in Labrador. Before I came here, I asked all of the executive directors what they thought about the issue of older women in their shelters and what they thought needed to be done.

• (1650)

Two different pictures emerged from my conversations: one of them I'm going to call the larger shelters, but when I say larger shelters, I'm probably talking about six to 10 rooms, while the second is the smaller ones in northern communities.

In the larger shelters, they said that about 20% of their clients are 50-plus, but some feel that older women are not availing themselves of the shelter service because of mobility or health issues that the shelters can't support. For instance, some of them still have bunk beds. Also, communal living was a deterrent for many older women.

They noted that almost all of their cases were domestic abuse cases: lifelong partners who have been abusing, and it has grown old. They also noted that older women seemed more likely to leave an abusive situation and they felt that this was probably because they had children who were grown and had left the house so they were ready to do something.

The smaller shelters, I have to admit, actually surprised me. One reported that 80% of their clients were over 50. They said that in their community, communal living was less of an issue because everyone knew everyone anyway, and the seniors just filled the role of grandparents in the shelters. They said that they experienced mixed sources of abuse. Some was domestic violence from lifelong partners. Some was by newer, or what they called younger, partners, who were after pensions, and some was by children.

But I think what disturbed me the most was that they said that the older women didn't use the shelters to leave abusive relationships. They were literally used as a respite from the abuse, because there was no housing in the community. There was nowhere they could go. They were not prepared to leave the community. It was just a break from the abuse.

I then asked them to make some recommendations about what could be done. They suggested—

The Chair: Ms. Siegel, I'm sorry, but we're just about out of time. Is it possible to come to a natural conclusion?

Ms. Elizabeth Siegel: I'm about 20 seconds away.

The Chair: That's great. Thanks.

Ms. Elizabeth Siegel: They said that they wanted funding to make shelters more accessible; shelters for older women without children, or in other words, a different shelter model, where there would be a different wing for older women; and housing subsidies for older women affected by violence. They also suggested that this should be reflected in funding policies. There should be funds provided for renovations and human resources to support the women, versus project funding.

Thank you.

The Chair: Thank you very much.

Ms. Siegel, would it be possible to send our clerk a copy of the results of the review of the elder abuse strategic plan so that we can use it for reference in our study?

Ms. Elizabeth Siegel: Certainly.

The Chair: Thank you very much.

Mr. Ed Holder (London West, CPC): Could we also ask her for her formal comments so that we could have those as well? I find those very interesting, those comments.

The Chair: Do you mean what was just presented now?

Mr. Ed Holder: Yes, please, if that's not what you were asking for.

The Chair: Sure.

Is it possible to get a written version of what was presented here today?

Mr. Ed Holder: Not to delay, but through you, what I had asked the clerk about at our last meeting was that, to the extent possible.... I note that we have one set of written comments today, which are very helpful, and when we get them, of course, they need to be translated into the other official language. But it really is helpful for our sessions to have our guests' comments presented to us. So again, I'll put it upon you to encourage that process.

Ms. Elizabeth Siegel: I do have the speaking notes available.

Mr. Ed Holder: Very good.

The Chair: That is excellent. Could you send that copy? We'll make the connection with the clerk.

Thank you very much, Ms. Siegel. We'll move on to Ms. White.

Ms. Valerie White (Chief Executive Officer, Nova Scotia Department of Seniors): Madam Chair and committee members, thank you very much for the opportunity to present to you today to share our views from Nova Scotia and some thoughts about what can be done to further address the issue of abuse of older women.

The Nova Scotia elder abuse strategy, which we put out in 2005, talks about the different kinds of abuse that people have experienced, the harm they have experienced from all sorts of people. If you fail to act on this, then their health, their whole well-being, and sometimes their lives are in danger. This action or inaction is especially harmful when it occurs in a relationship where there is the expectation of trust.

I won't go over the different kinds of abuse, because that's in the report. That will save some time, and I know you're all familiar with them anyway.

It's very difficult for us to say how many older persons are abused, neglected, or exploited in Nova Scotia, in part because there's still a lack of awareness of what elder abuse really is. Sometimes this abuse has gone on for a very long time, and in certain cases people begin to feel this is the way their life is.

We've been doing a lot to talk about the awareness and to make people more aware of abuse, but it very much remains a hidden problem.

The best information indicates that between 4% and 10% of older adults experience abuse. If you translate that to Nova Scotia, it would mean that approximately 5,000 to 13,000 older people experience harm and poor health or well-being because of abuse. Because it's so severely under-reported, it's believed that this number is far greater. I was a social worker with family and children's

services, and I honestly don't think it's any different: I think abuse goes through the generations and remains hidden.

As in other jurisdictions, of course because women live longer than men, naturally there is a larger group of women who are being abused. The sheer numbers of our demographic means that it's becoming a larger issue. According to the 2006 census, of approximately 138,000 Nova Scotians over the age of 65, 78,000 are women. That's 57% of our senior population.

As I said, it's often hidden. It takes place within family relationships, and it is very much shaped by generational experiences. What we see a lot of the time is this entitlement that older adult children feel. I hope I have a chance to tell you a story that's close to me about a lady who lives across the street—they basically can't wait for her to die. There's some serious abuse taking place there.

Of course, a lot of older women don't want to report abuse because it is done by adult children or their spouses and they fear losing those relationships. For a lot of seniors who were at home raising their families, that has been their whole life, and to separate from those relationships is a huge issue for them.

They have the same opinions in Newfoundland. I think a lot of the older seniors aren't comfortable in the transition homes where there are younger people and children. There's obviously some success, but I know there are some transition houses specifically for older seniors, and that seems to have worked really well.

Also, of course, people are afraid of retaliation.

As well, a lot of older women feel guilty. If their adult child is abusing them, they feel that maybe it's their fault, that maybe it's something they did. As mothers, I think, we always seem to say that maybe it's something we did, and I don't think that changes as we age. So that makes it a sort of a double whammy there for someone to come out and report themselves.

• (1655)

Of course, because of having fewer financial resources, a lot of older women can be even more greatly affected by financial abuse.

We know also that women are more likely to have disabling conditions. They live longer than men and so they're more at risk of injury, and they're often likely to be caregivers to husbands with dementia.

Sometimes violence in a younger couple can grow old along with them.

It may also start in retirement, when changes take place in the different roles that people play. Spousal violence can begin in a relationship at any age, I guess, when people grow older, with the stresses and strains that people often feel. So it is the significant aging of our population that will increase the proportion of seniors needing support and also increase the need for people to step up and understand that this is a concern for all of us, that it's everyone's concern.

We need to take a look at everything we can possibly do to support seniors who are being abused. One of the things we've done in Nova Scotia is to develop—in 2005—a strategy for positive aging. I brought some reports with me, and if you want them, you're welcome to have them. That really was done to position us as a province that was starting to look at innovative solutions to the challenges associated with population aging.

More than a thousand Nova Scotians were consulted. The strategy contains nine goals and 190 societal actions. Again, we particularly addressed it that way when we went out to the consultations: that government can't do everything and that every one of us has a role to play in order to make sure that people age successfully.

The nine goals in the strategy for positive aging are: celebrating seniors; financial security; health and well-being; maximizing independence; housing options; transportation; respecting diversity; employment and life transitions; and supportive communities. This strategy serves as our framework for responding to seniors issues, including abuse. We build our yearly business plan around that.

Also in that same year, we released the Nova Scotia elder abuse strategy. This provides direction and leadership to all partners in preventing and addressing the abuse of seniors. It was meant to be a five-year strategy. We are reviewing that now. It outlined four strategic areas: education and awareness; prevention of financial abuse; community-based networks; and resources and support. A review of progress is under way.

We also started a toll-free senior abuse line. We have adult protection in the province, but ever since I've been involved—since 1980—the adult protection legislation deals only with seniors who are unable to look after themselves or who would be considered incompetent. Believe me, there are many people who are very competent but because of abuse just do not have the wherewithal to make a change. We receive approximately 200 calls per year on that line, and roughly 70% of all calls are concerned with either potential abuse or neglect of an older woman.

We also have a network for the prevention of senior abuse. This network is composed of government, community, and academic partners and is led by the Department of Seniors. That network fosters collaboration and provides leadership across those stakeholder groups in an effort to put more supports at the grassroots level.

There has been some wonderful work done at the federal-provincial-territorial level. We worked together with our colleagues on the prevention of elder abuse, especially financial abuse, on the safety and security working group, which that produced the World Elder Abuse Awareness Day kits, the eight brochures on financial literacy, and the TV ads. At this time, the working group is focused

on a collaborative project with other stakeholders to ensure that seniors are better informed in order to protect themselves from financial abuse.

• (1700)

We support senior safety programs in Nova Scotia, which were started by the RCMP. We provide them with a maximum of \$20,000 to encourage those programs—they use a community development model—to work with and to visit seniors in their own homes.

Each year on World Elder Abuse Awareness Day, we support eight to 15 projects. They have been funded to make people at the local area level more aware of activities that support seniors and to create further awareness.

Through partnering with the public legal information service in Nova Scotia, we have created a legal information package for seniors, which is called “It's in Your Hands: Legal Information for Seniors and their Families”. The Department of Seniors has already funded two extra printings of that book so more seniors can have access to it.

• (1705)

The Chair: Excuse me, Ms. White. Could you please conclude?

Ms. Valerie White: Okay.

I'll conclude by mentioning some of the gaps we see and some ways in which I think the federal government can help.

Often there's a lack of alternatives for seniors with regard to living arrangements. They are dependent on the abuser. There is shame associated with being abused, as well as some fear and the feeling of being responsible for the criminal accountability that the abuser will face.

We would suggest that it's important for women to have enough financial benefits so they can live independently as long as possible; that government support local work that increases women's understanding of their rights and resources; and that government support local projects on the implementation of emerging best practices.

We would recommend having a federal campaign on positive health relationships and on how to talk to your family and friends about behaviours that cause concern.

I think it's important that the funding through the new horizons program be continued. Again, I think it's doing some great work across the country.

I would like to add that I think there is a need for awareness, not just among police forces, but among lawyers, around what can be done with existing legislation. But I also think we have to adopt an attitude of zero tolerance of elder abuse, as we have for other forms of abuse, whether it's in Boy Scouts or schools for native children in the past, or even in the way we're addressing child abuse. I really think we need to move towards this so people know that if they abuse a senior there will be serious consequences.

Thank you.

The Chair: Thank you very much.

Now we'll move on to the representatives from the Ontario Network for the Prevention of Elder Abuse.

You have 10 minutes together. If you'd like to, you can share your time and that's how we'll go.

Ms. Teri Kay (Executive Director, Ontario Network for the Prevention of Elder Abuse): I'm going to take most of it, and Manon will be available for questions.

The Chair: That's perfect. Thank you.

Ms. Teri Kay: Thank you very much for inviting me. It's a great pleasure to appear before you.

I come out of 25 years of working in the violence against women sector. Latterly in my retirement, I have started to work on issues relating to seniors because I am one, so part of this is out of self-interest as well.

In 2002, the Ontario government, as a result of advice from the private and public sectors through the Round Table on Elder Abuse, launched the first strategy to combat elder abuse in Canada. ONPEA was given the responsibility of implementing the strategy. Its key elements include education for front-line staff, strengthening community resources, and coordination of public awareness to raise awareness with respect to elder abuse.

Seven regional consultants are our key resources. Of the seven, two are francophone consultants and one is a multicultural consultant.

They support local elder abuse committees and networks. They strengthen partnerships among them. They facilitate and undertake education and training initiatives for professionals, volunteers, and seniors. They promote information sharing. They also are helpful in developing model protocols and assisting in grant writing.

Ontario's regional abuse consultants are organized by region, namely: northwest, northeast, west, central west, central east, east, and the Greater Toronto Area.

In addition to implementing the strategy, ONPEA supports a growing number of vital projects and research. In your packet, there should be a very long list of many of our initiatives. More can be found on our website at www.onpea.org. I would like to briefly highlight three.

One is that we support 55 regional networks in Ontario. This is a collaborative approach. I'm sure you are hearing a lot about regional networks. They are local. They are comprised of health services, social services, police, seniors, and justice, and they are really, if you

like, the front window of services to the elderly. I'll talk a little more later about this, but most of these networks are unfunded and operate through the good graces of a lot of community support.

The second thing I want to talk about is the Senior Safety Line, which was launched in 2009 through an Ontario Trillium grant. This line operates 24 hours a day, 7 days a week, in over 150 languages, and is answered by professionals. It is a partnership that we have with the Assaulted Women's Helpline.

It's the only line of its kind in Ontario and it's running at capacity. This is due to the fact that we have only one dedicated line. In the three years we've been in operation, we've received over 10,000 calls, and we can't grow any more without adding capacity. The safety line funding runs out in a few months and needs support now, not only to fund a second line, but just to keep the current one going.

Calls are primarily from seniors—very often, women. We had anticipated that calls might be from referral sources, but they're not. They're from women themselves.

We have a huge database that can connect these seniors with resources all over the province.

The last thing I want to highlight is something called "Free From Harm", which is a best practices guide for women who have experienced abuse, which we released in 2007.

Its undertaking was compelled by social and cultural impacts of an aging population, the demonstrable need for improved public awareness of elder abuse generally, and the unique characteristics and needs associated with older women and the services provided to them.

The goal was to produce a guide. It was a collaborative effort among ourselves, the Ontario Seniors' Secretariat, and the Sheridan Elder Research Centre.

The initial years of the undertaking were spent examining the literature. We held consultation sessions all across Ontario with older women, most of whom were survivors of abuse. We held regional consultation sessions across Ontario with more than 100 representatives of community agencies that work with older women, had discussions with several key informants, and got input from a 21-member steering committee.

●(1710)

The proposals were grounded in two fundamental principles. The first was that issues having to do with abuse of older women are rooted in matters of interpersonal power and control. The second was that community coordination was an essential component of an effective approach to the abuse of older women. Older women should be able to access services and support programs at many different entry points, including services in both the violence against women sector and the seniors sector.

Ontario, like every other province, is facing a growing elderly population. By 2026 in Canada, one in five will have reached that age. We do not have any specific definition, but we do use the World Health Organization's definition of elder abuse, which basically defines abuse of older adults as "a single or repeated act, or lack of appropriate action, occurring in any relationship where there was an expectation of trust that causes harm or distress to an older person".

It's plain that abuse can take many forms other than physical; it can be sexual, psychological, emotional, or financial, or neglect or a violation of human and civil rights. It can take place in the home, in a residential setting, and in the community.

Financial abuse is by far the most common. According to Statistics Canada, it's estimated at between 4% and 10%. You've heard that statistic. We know that it's under-reported. We know it's higher. Two-thirds of those who reported physical abuse indicated that they were abused by a family member. The incidence for women is higher than it is for men. When family members were reported as the abuser, it was most often carried out by adult children.

We use the age of 65 in our study. That's our point of departure, although we recognize that we may have to look at that in the future. We did that because, by reason of their age and isolation, women are more likely to be susceptible to the conditions of abuse. By reason of their numbers alone, older women are statistically more likely to be subjected to abuse. Women represent the majority of seniors living alone, a status that frequently results in social isolation and the potential for neglect or harm.

The literature identifies many factors that prevent women from coming forward. We've already spoken about some of them, but if it is abuse grown old, it's often normalized in the mind of the woman. She doesn't see it or define it as abuse.

Another major barrier is the lack of access to accurate information and to the support services that are available. This is particularly true in immigrant communities. Many older victims do not seek services from agencies, such as police or health care professionals, and when they do seek help, they are sometimes faced with having no service available in their community or with service providers and systems that are not prepared to meet their needs. Hence, they do not continue to seek service.

Older women face economic barriers. While abused women of all ages can face financial barriers, older women may have already been living below the poverty line.

For those living in rural communities, transportation can be a major factor in seeking services, attending community programs, or even seeing their doctors.

Recently we have become aware that many seniors lack the resources to have land lines. If they live with children, those children take the cellphone when they leave for work, leaving the senior even more at risk.

Again, it is important to recognize the diversity of older women in looking at their unique needs. In each community, there will be additional obstacles that older women face. For francophone women and French-speaking immigrants, the availability of French language services may pose difficult challenges that further isolate them.

However, the good news is that despite the numerous obstacles and barriers they face, the strength and resilience of older survivors is important to recognize. Many older people are independent and active, make changes in their lives, and are making contributions to their community and to the economy of this country. The current perspective on aging is one of liability, and this negative view needs to be altered to a much more realistic view.

What's needed? We've grouped them into five: research, raising public awareness, professional training, community coordination, and enhanced support.

●(1715)

What are the most important? We believe that education must take place across the lifespan, starting in primary school. We believe that professional programs in colleges and universities in nursing, medicine, social work, law, and law enforcement should include education and training on the abuse of older women, and appropriate responses.

We believe that long-term funding must be made available to establish and maintain programs to support older women on an ongoing basis—as opposed to grants, which are great, but they do run out—such as our provincial safety line.

Lastly, we call for an aging strategy for Canada that highlights the challenges for older women. However, the strategy must be comprehensive and cut across the silos to include other levels of government and the private sector. We want to create communities that capitalize on the strengths of our changing age structure and provide supports for those requiring assistance.

Thank you.

The Chair: Thank you very much, Ms. Kay.

We'll go to the first person to ask questions.

From the Conservative side, we have Ms. Ambler.

Mrs. Stella Ambler (Mississauga South, CPC): Thank you, Madam Chair.

My first question is for Ms. White, please.

Under your recommendations you mentioned that having enough financial benefits so women can live independently is important. You may know that this government has increased the guaranteed income supplement. Would you say that such initiatives help to prevent abuse by increasing the income of our most vulnerable seniors?

Ms. Valerie White: Yes, I would say it does. So many times people feel trapped when they don't have enough income to make the kinds of decisions or choices they would like to make, so that was very significant.

Mrs. Stella Ambler: Thank you.

My next question is for Ms. Kay.

I note that you have served on an advisory group for a project by the Law Commission of Ontario that has been developing a framework for the law as it affects older adults. One of our witnesses in the first hour of this meeting stated that the age of the victim is rarely a factor in the length of the sentence. Do you believe that it should be when sentencing those who are found guilty of abusing seniors?

• (1720)

Ms. Teri Kay: I think the whole sentencing structure absolutely needs to be looked at. Unfortunately, when it comes to abuse of seniors, particularly women who are seniors, it's not only under-reported, it's under-prosecuted, so that the numbers are really quite deceiving in terms of prosecuting.

Part of being on that commission is trying to create an environment in the court system that is age-friendly, if you like, so that more of these situations can come before the court.

We strongly believe that sentencing needs to be examined, yes.

Mrs. Stella Ambler: Thank you.

What methods would you use, perhaps based on your experience on this advisory group? Could we use the legal system to make women less afraid of the legal system? I'm sorry—not just women, but those who are abused as elders.

Ms. Teri Kay: There is a whole range of things that need to be done in the court system, all the way from the times that you need to appear.... Seniors aren't necessarily able to appear in court at 10 o'clock in the morning. Also, you can't have them sitting there for the better part of the day, as often happens. As well, they need to be able to give testimony not necessarily in person—much like we do with children, if you like.

While some of the courts in Ontario are extremely current with what would make a senior feel more comfortable, many others aren't.

Along with just the structural changes that are needed, the education is really, really important. We are training crown prosecutors at this point. We are appearing at police colleges and training police. Our next barrier is going to be the judges, the judicial system—

Voices: Oh, oh!

A voice: What would you train them on?

Ms. Teri Kay: Well, we can't train.... But maybe we can provide them with some information, if you like, yes.

Mrs. Stella Ambler: In fact, that was another thing that came up in the previous hour: the need to train police officers, who in many cases are often on the front lines, obviously, of this problem.

Along the same line, I'd like to ask Ms. Siegel a question.

In your strategic plan, one of the recommendations, one of the planks in the strategic plan, as you mentioned, was legislation. Does the strategic plan that you undertook recommend legislative changes? If so, what are they?

Ms. Elizabeth Siegel: Actually, I'm really pleased to say that we have new legislation.

A voice: That's excellent.

Ms. Elizabeth Siegel: We had a Neglected Adults Welfare Act, which did have mandatory reporting if a senior was mentally incompetent, but it had very small penalties, it wasn't being used, there were no teeth to it, and social workers couldn't get into homes to check on seniors who were being abused.

There is now a new act. I believe it's called the vulnerable adults act. It has had its second reading and hasn't been proclaimed yet, but we were actually consulted on it. We were really pleased that they came to the community and asked for input. Again, it's only for adults who are vulnerable, mentally or physically, but it does have mandatory reporting in it, and much more teeth. It hasn't been rolled out yet, but we're really excited with the direction it's taking.

Mrs. Stella Ambler: That's great.

If I might ask you the same question, do you believe that the age of the victim should be taken into account in sentencing?

Ms. Elizabeth Siegel: Personally, I do, if the adult is incapacitated mentally or physically. Otherwise, I don't. I have to say that in our experience we see so few that go to the courts. Often it's the victims who don't want to bring them forward, so it's really about getting people in to help, as opposed to the sentencing, I think.

Mrs. Stella Ambler: Thank you.

My question to you also is that, in your studies, did you find that men were as likely, more likely, or less likely to be victims of financial abuse than women?

• (1725)

Ms. Elizabeth Siegel: We haven't really had any information come forward with it. I think we have found that eventually women are more apt to report it. Men are a little more.... In regard to the stories they tell, they're embarrassed, yes, to come forward with it, but I actually don't have anything to tell you about the rates on whether they're taken advantage of more often.

Mrs. Stella Ambler: Thank you.

Ms. Kay, it sounds like you have found the same thing.

The Chair: Actually, that ends our time right there. That will be the seven minutes.

We have seven minutes with the NDP.

Ms. Irene Mathysen (London—Fanshawe, NDP): Thank you, Madam Chair.

I want to thank all of you for being here.

I'm the NDP critic for seniors issues, and the briefs that you provided are going to add tremendously to my research.

I've been doing a lot of research. Quite clearly, there are a number of things that we should do, and that we can do, in terms of addressing the needs of seniors.

Ms. Kay, I want to start with you. We've heard that there is a need for some national standards in terms of long-term care. I know that in the province of Ontario there are some profound concerns. The number of hours of care continues to decline and there are fewer and fewer staff members in a facility. As a result, seniors are not getting the care they need.

Perhaps there's a level of frustration among staff that could be problematic, but there's also the reality of one patient attacking another. They've begun to mix patients suffering from Alzheimer's and dementia into general wards, so there is that kind of abuse.

Could you comment on that?

We—the federal government and the provinces—are going to be looking at the Canada Health Act in the next few years, by 2014. Do we need some national standards? How does long-term care fit into the Canada Health Act? Should the Government of Canada be very clear about the need to include long-term care, to provide the support, so that we have a standard across the country and fewer examples of abuse of seniors in facilities?

Ms. Teri Kay: That's a really difficult question.

In Ontario, mandatory reporting exists in long-term care facilities and, more recently, in retirement homes as well. Many situations that occur in long-term care facilities are reported and acted upon.

Do we need more? Of course. Would it make sense to establish standards across the country? Probably.

That's all part of our desire to have some sort of an aging strategy, rather than looking at just one particular situation or one particular sector. It really needs to cut across. Elder abuse—and I'm sure you've heard this quite a bit—is very complex. It really is. It is not like child abuse or abuse of women, because there are so many different layers involved that you don't necessarily have in the other forms of abuse.

The choices that older women have are far fewer than younger women have. We know that. If you want to go across the country, then go across the country and look at everything. Don't just look at one sector.

It's the same with legislation. I've been asked that question: does Ontario need stronger legislation? Well, if you're not going to put in the resources, what's the good of the legislation, frankly?

Yes, I personally believe that older people deserve greater protection than they currently have. Some who are deemed capable are deemed capable at ten o'clock in the morning, but by three in the afternoon they're not so capable. Some are capable of writing a cheque and others aren't. It's not an all-or-nothing situation.

But there are no resources, and I'm sure you're hearing this. I think that's what we're bringing to this table. You know, enough with the public awareness. It's great, but.... Okay?

Ms. Irene Mathysen: Okay. I have—

Ms. Teri Kay: I'm sorry. You gave me—

• (1730)

Ms. Irene Mathysen: I know. I have another question. It's an important question, and it has to do with connecting financial abuse and poverty.

The reality is that right now in this country there are 154,000 senior women who live below the poverty line. There are all kinds of reasons. They were caregivers. They had part-time jobs or intermittent work. They couldn't contribute to their pensions.

OAS and GIS are fine, but what the government provided was less than half of what's needed to lift all of these women out of poverty, so it seems that we need some kind of pension reform. We need to make sure that women are not made vulnerable and subject to abuse because they have inadequate resources in terms of their incomes.

Does that make sense to you that we need to attack—or address, more accurately—the fact that women live below the poverty line? Private pensions are failing, and we just don't provide enough through the public pension plan yet.

Whoever would like to answer is fine.

Ms. Valerie White: Yes, I would certainly agree that pension reform is needed, for a lot of different reasons. Certainly it would help senior women, but also, as our population is aging, we need to encourage people to work if they want to work.

Right now, there's very little incentive for people to work, because they lose a lot of their earnings. Just looking at the economics of our country, especially in rural areas, there's a huge need to address pensions right across the board for all these kinds of issues.

Ms. Irene Mathysen: Okay.

I have one last question. It was referenced that a lot of senior women stay in situations because they have no alternative: there isn't an appropriate shelter, they can't afford housing, or they can't escape.

We have no national housing policy. There's nothing in this country in terms of supportive affordable housing. Do we need a national strategy that addresses the needs of senior women and seniors in general?

Ms. Valerie White: Yes. Actually, housing, for the first time, is on the agenda for the FPT ministers responsible for seniors. So for housing, living arrangements, and transportation, the ministers will be speaking about those issues when they meet next June in Nova Scotia.

The Chair: Thank you very much.

Thanks to all of you for your patience. I think you would agree that we delayed a bit in getting everything set up, so I appreciate everyone's patience.

I very much appreciate the witnesses who came forward.

Ms. White, Ms. Siegel, Ms. Thompson, and Ms. Kay, thank you very much for your presentations.

We'll see everybody else on Thursday.

The meeting is adjourned.

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