

# Elder Abuse and Fraud/ Scam presentation

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[ottawapolice.ca](http://ottawapolice.ca)

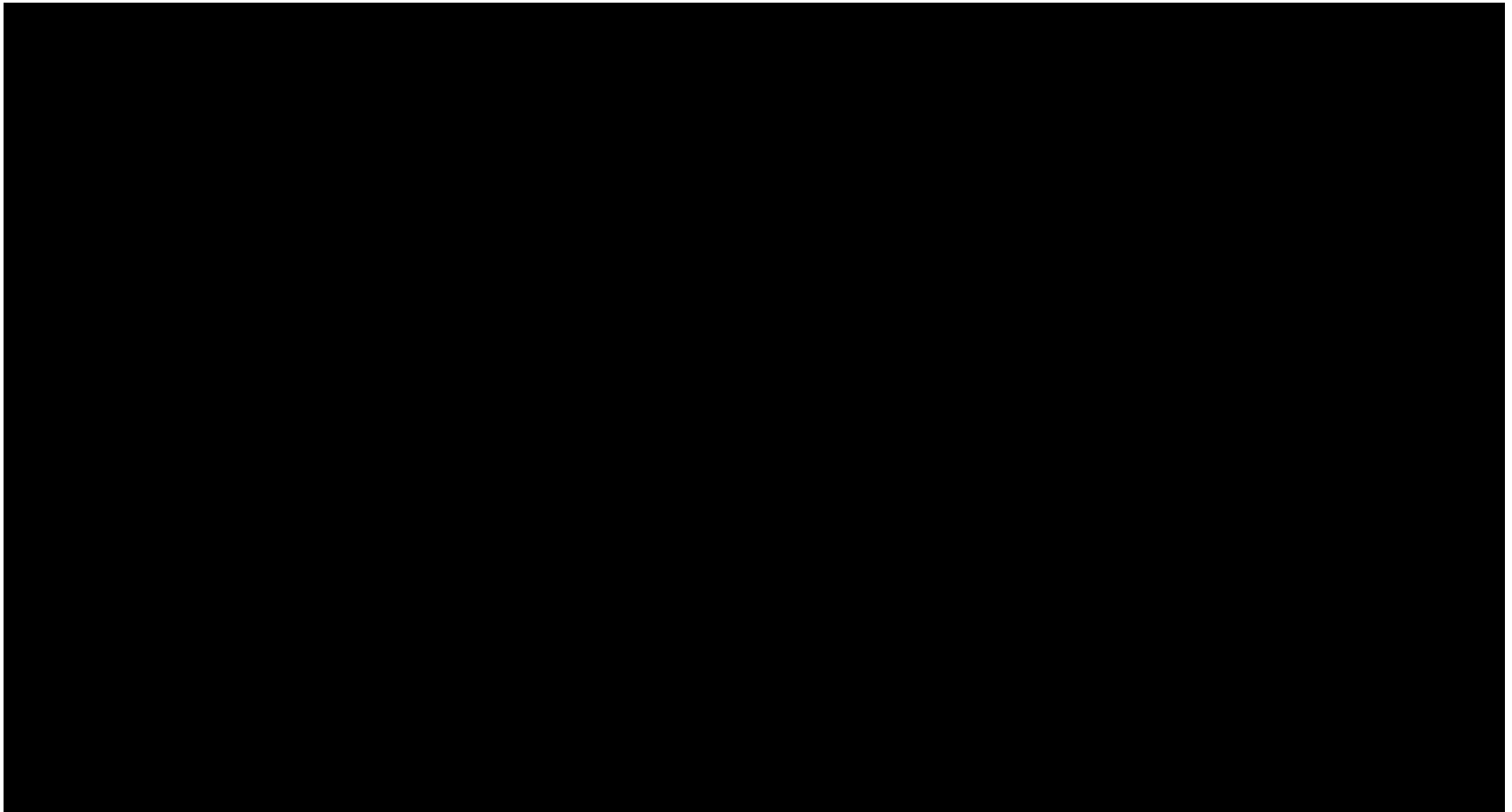


**OTTAWA POLICE SERVICE**  
**SERVICE DE POLICE D'OTTAWA**

*Working together for a safer community*  
*La sécurité de notre communauté, un travail d'équipe*



**It's not right!**





## Definition of Elder Abuse

- Elder Abuse is a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person. This type of violence constitutes a violation of human rights and includes physical, sexual, psychological, and emotional abuse; financial and material abuse; abandonment; neglect; and serious loss of dignity and respect.

(WHO, fact sheet, 2017)



## Statistics/Predictions

- As of 2016, Statistics Canada indicates that there are 144,897 seniors (age 65 and over) living in Ottawa.
- Which is 14.9% of the city's population
- By 2020 more than 1 in 6 Ottawa resident will be over 65



# Introduction To The Elder Abuse Section

- 2003; foreseeable need to have specialized police response to victims of Elder Abuse.
- January 2005 it became a reality
- There are currently 2 full time investigators and a sergeant whose time is split between Elder Abuse and Fraud



# Mandates

## 1) Investigate all allegations of abuse

- Existing / Pre-existing relationship of trust/dependence between victim and abuser
- The victim has to be over the age of 65 or 18 if vulnerable



# Continuing Power of Attorney

- A continuing POA is a legal document in which a person gives someone or more than one person the legal authority to make decisions. The person(s) who is named as a an attorney does not need to be a lawyer. The POA is called “continuing” because it can be used after the person who gave it is mentally incapable to make decisions for themselves.



## 2 Types of Power of Attorney

- Power of Attorney for Personal Care
  - personal health care decisions (includes health care, nutrition, shelter, clothing, hygiene and safety)
- Power of Attorney for Property (any type of financial decision or transaction including budgeting, paying bills, doing tax returns, safeguarding of valuables, selling real estate or making loans)
  - writing a new POA revokes all previous forms





## Power of Attorney For FINANCE:

Effective immediately upon signing in front of 2 witnesses

-triggering clause very important!

Gives POA transactional authority but NOT transfer of ownership authority

POA is to act in the interests of the senior; not to benefit themselves



## Something to Think About!

“ The prevention of abuse and neglect of older adults is a **community challenge** which will not be resolved quickly by one person or one approach. It will require a **community effort** to create an environment which reaffirms the rights of older adults to self-determination, respect and dignity”

*Theresa Lukawiecki*



# Types of Abuse investigated by the police

- Physical (including sexual assault)
- Psychological/Emotional
- Financial
- Neglect (Active or Passive)



# Signs/Symptoms of Physical Abuse

- Unexplained injuries
- Untreated medical problems
- History of “accidents”
- Signs of over/under medication
- Doctor-shopping
- Bilateral bruising or in odd places
- Inconsistent story-injury





# Neglect

- Intentional/ Unintentional
- Failure to provide basic or personal needs
- Lack of attention or abandonment
- Resulting in a risk or harm to the senior



# Sign/Symptoms of Neglect

- Unkempt appearance, poor hygiene
- Inappropriate or dirty clothing
- Signs of malnourishment or dehydration
- Living conditions unhealthy or dangerous
- No social contact
- No regular medical appointments
- Untreated medical condition or injury





# Psychological Abuse

- Any action or comment causing fear, emotional anguish, diminished self-esteem or dignity
- Includes threats to do harm, Threats of deportation/problems with immigration, unwanted institutionalization, harassment, abandonment, removal of decision making ability



# Signs/Symptoms of Psychological Abuse

- Fear, anxiety, depression, withdrawal
- Reluctance to talk openly
- Fearful interaction with caregiver
- Caregiver speaking on behalf of person and not allowing privacy







# Provisions within Criminal Code

- Assault (w/weapon, bodily harm, aggravated), Sexual assault
- Forcible confinement
- Manslaughter/Murder
- Criminal Negligence (causing bodily harm/death)
- Failure to Provide Necessaries of Life
- Intimidation, Uttering threats
- Criminal harassment



# Financial Abuse

- Theft/exploitation, Fraud
- Misuse of money, property or assets





# Signs/Symptoms of Financial Abuse

- Forged signatures on cheques or cheques made out to “cash”
- Unusual banking activity; large withdrawals or new loans
- Bills from merchants/stores not likely to be frequented by the senior (ie; electronics)
- Senior’s home is unexpectedly sold
- Sudden or unexplained inability to pay bills
- Senior feels afraid or worried when talking about money
- Senior is in debt but doesn’t know why



## Financial Abuse Assessment (cont'd)

- Bank statements no longer sent to senior's home
- Abrupt change in will, Power of Attorney or financial documents
- Unexplained sudden transfer of assets
- Pension cheques being cashed by caregiver without authorization
- Inclusion of additional names on bank account (“joint accounts”), bank card (or other property)
- Excessive ATM or debit card use



# Provisions within Criminal Code

- Theft/ Theft by Power of Attorney
- Fraud/ False Pretences
- Forgery
- Extortion
- Stopping Mail With Intent



# Why is Elder Abuse Seldom Reported?

## By the VICTIM:

- Afraid of repercussions
- Completely under the control of the abuser and dependent on him/her for basic needs (physically/mentally incapable)
- Fear of institutionalization (based on misconceptions about RH and LTC)
- Concern that abuser will be incarcerated/get criminal record
- Guilt/shame
- Misconception that police/social agencies cannot help
- Cultural/Ethnic values or beliefs



## Cont'd

**By FAMILY/ FRIENDS/ 3<sup>rd</sup> party:**

- Do not know who to tell
- Do not want to get involved
- Older person asks them not to report it
- Fear of repercussion for the older person/ themselves
- Confidentiality issues/Privacy Legislation



# What Happens When a Report is Made to Police?

- If evidence permits, we can lay charges and provide subsequent protection measures for the victim and witnesses
- If no charges are laid, explore alternative solutions to the problem; safety planning, coordinating police involvement with appropriate health, social and community service agencies (EARRS, OPGT, LHIN, VCU etc)





# Fundamental Considerations

- Victim has the right to self determination
- What are the victims wishes throughout the investigation and possible judicial process? If not capable, what is in their best interests?
- What services will the victim need from the outset and then throughout and following the investigation? Who can help them and advocate for them?



# Fraud is not Elder Abuse

- Fraud does not discriminate
- Older adults may often be a target but young and older people can be victims





# What is Fraud

- Criminal offence under the Criminal Code of Canada, section 380.
- Fraud is taking something by using DECEIT.
- The person is often tricked into giving money and/or property.
- Most often the victim will appear willing to give their money and/or information because of deception.



# Fraudsters Goal

- To gain from the interaction.
  - Money
  - Banking information (C.C. #'s, account #'s, passwords)
  - Property (kijiji items for sale)
  - Personal Info/Identity (Name, SIN#, DOB, Address)



# Method of conducting Fraud

- Computer/Internet
- Phone
- Door to Door





# Current Fraud Scams

- Phishing Scams (Banking information)
- CRA Tax Scam
- Charity Scam
- Renovation/Construction Scam
- CRA Refund Scam
- Kijiji/Used Ottawa Scam
- Lottery Scams
- Romance Scams
- Identity Thefts





# Computer/ Internet Frauds

- *Phishing scams* are perpetrated by cloning, copying and masking the identities of often real email addresses, email documents and websites.
- This is often done by a method known as spoofing.
- Objective to Internet based frauds are to obtain your personal information, banking information, password information and **GET YOUR \$\$\$**







# Example:

**From:** Scotiabank <[#Scotiabank-unauthrorized-transfer-cancel-dasdasate-custom.6458334820.no\\_reply@forum.xda-developers.com](mailto:Scotiabank-unauthrorized-transfer-cancel-dasdasate-custom.6458334820.no_reply@forum.xda-developers.com)>

**Date:** February 16, 2017 at 7:11:45 PM EST

**To:** <[REDACTED]>

**Subject:** Unauthorized TRANSFER from your Account[6458334820rip]

Scotiabank

Hello [REDACTED]

Someone tried to access your Scotiabank account from a new device on 16-Feb-2017.

IP address: 213.64.64.64

Location: Canada 15

**The attempt was not successful. Due to this we had to block your account access.**

**Your account access is now limited and your funds are frozen.**

To unfreeze your funds and activate your account access simply follow the link below:

<http://www6.scbank.com/cgi-bin/rbcgi6r64#attention-notice-pl-6>





# Computer / Internet Frauds cont

- CRA Refund Scam

-Email from CRA indicating that you have a tax refund, ([mail.electrnic@payments.interac.ca](mailto:mail.electrnic@payments.interac.ca)).

-Link leads you to a page that indicates you have a \$458.00 refund from CRA (amount may vary). Click on a 2nd link. “Deposit to your financial institution”

-3<sup>rd</sup> page appears requesting your S.I.N. #, First and Last Name, D.L. #, address, D.O.B., and credit card information.

\*CRA does not send these emails to people or provide refunds via credit cards, itune cards, gift cards



# Computer/Internet Frauds cont

## Kijiji and Used Ottawa Scam

- Overpayment with a fraudulent commercial, personal or bank draft of an item being sold.
- Request of the difference being returned, prior to the cheque being cleared as Fraudulent/Fake by the banks.
- When accepting a cheque from a stranger, hold that cheque in your account until it officially clears at the bank (This could take 7-10 days).



# Computer/Internet Frauds Cont

- Romance Scam

- Perpetrated via computer, creating anonymity for the fraudster.
- Preying on peoples feelings and emotions, making them feel loved and cared for, often in time of need.
- In time, requests for money for business ventures, for a plane ticket, customs border issues and on and on.
- Often they use the persona of a high ranking military officer, attractive male or female.
- Often the victim has never met the party in person and at most have spoken over the phone.



## Phone Frauds cont

- Grandparent Scam:

- Phone call from a caller that identifies as your grandson or granddaughter in need of help because of a car accident, arrest, bail, lawyer fees and generally occurring in another country.

- They will request that the call be confidential.

- Request is for you to send money via western union.

- The requests for money will not stop until you Stop Sending Money!!!!



## Phone Frauds cont

- Lottery Scam

- Receiving a phone call indicating that you have won a Lottery.
- In order to collect the winnings you require to pay the taxes and/or fees to be released from customs or border services.
- If you didn't play a lottery, you didn't win a lottery, especially one over seas!!!





# Door to Door Fraud

- **Renovation/Construction Scam**

- Knock on the door to tell you they just happen to be doing some work in the area and can give you a “special price/group pricing”.

- Demand a large down payment "to buy materials". Most reputable contractors can maintain charge accounts with their suppliers.

\*Be cautious, do your research!!!



# Identity Theft



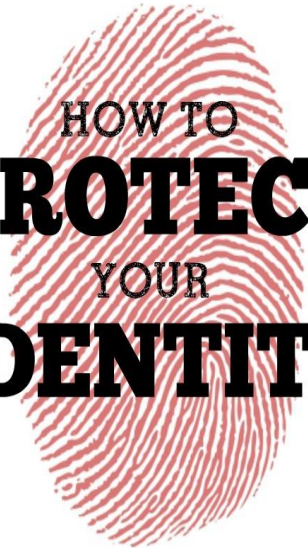
## How your identity is compromised:

- All of the fraudulent scams mentioned above.
- Removing your mail or fraudulently redirecting your mail;
- Stealing from wallets, purses, mail, vehicle, computer, and websites you've visited or e-mails you've sent;
- Phone calls, posing as a creditor and bankers.
- Information being purchased from a dishonest employee working where personal and/or financial information is stored.



# Protecting your identity

- Burn or shred personal financial information such as statements, credit card offers, receipts, insurance forms, etc.
- Check your personal credit with equifax and transunion every 5 years and confirm your credit is **YOURS!!!**
- Victims of Identity theft, flag your credit bureaus.
- Put an alert on your credit cards.
- Be cautious when filling out ballots for prizes. Where does that info go?



HOW TO  
**PROTECT**  
YOUR  
**IDENTITY**





## TIPS:

- Shared bank account is **NOT** a good idea.
- Set up direct debit, automatic withdrawals, bill payments, etc.
- Check your bank account activity regularly and inquire about any unusual withdrawals or transfers.
- A POA should be chosen when you are healthy.
- If you have no one to act as a POA, you can hire a lawyer.
- Be **VERY CAREFUL** who you choose as POA.
- We suggest there be 2 POA acting jointly.



## TIPS cont

- Do not sign documents that you don't FULLY understand
- Don't provide your information when not necessary.
- Don't be afraid to say no.
- Do your research, take your time before hiring someone.



- Equifax Canada  
1-800-465-7166 between 8:00am and 5:00pm ET
- TransUnion  
For residents **outside** Quebec 1-800-663-9980  
between 8:00am and 8:00pm ET
- Office of the Public Guardian and Trustee  
1-800-518-7901
- Elder Abuse Ontario 1-866-299-1011



## Contact information

- Det. Anne Ménard x 5639
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- Sgt Linda Leung x 5434
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- FRAUD Must Answer line x 5292