



Canadian  
Resource Centre for  
**VICTIMS  
OF CRIME**

— Dedicated to Justice —

# ELDER ABUSE

PREPARED BY THE CANADIAN RESOURCE CENTRE FOR VICTIMS OF CRIME

*This publication is intended as a general guide for people who may become susceptible to crime or for victims that are already involved in the criminal justice system. Please do not hesitate to contact the Canadian Resource Centre for Victims of Crime if you require clarification, or for a referral to an agency in your community that may be able to provide services to you.*

*(Revised May 2022)*

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# The Use of the Word “Elder”

Over the last several years, there has been much debate around terminology when discussing certain groups to be more inclusive. The Canadian Resource Centre for Victims of Crime (CRCVC) uses the word “elder” throughout this publication to refer to individuals 65 years and older to encompass their experience, their worthwhile contributions to society, and years of wisdom. CRCVC recognizes that everyone has their preference for terminologies such as seniors, older adults, or aged persons. CRCVC only seeks to help inform the public and elders of their rights and provide information on preventing fraud and abuse.

## Elder Abuse

### Introduction

As the largest cohort of our population ages, older people today are more visible, more active, and more independent than ever before. However, as the population of older Canadians grows, so does the hidden problem of elder abuse. Moreover, as the population of baby boomers grows older, the prevalence of elder abuse is expected to escalate. Each year, hundreds of thousands of older persons are abused, neglected, and exploited by their family members and/or caregivers. Elder abuse is consistently unreported for various reasons, with the victims’ dependency upon the abuser being the main reason. It is also difficult to put an end to elder abuse unless people recognize the actions of the abuser and let someone know it is happening. Older people who experience abuse may suffer serious health implications, as well as various psychological disturbances, including heightened stress levels, anxiety, loneliness, depression, and helplessness.

### What is Elder Abuse?

Elder abuse is any form of mistreatment, action, or inaction by any individual or institution, which causes harm, threatens harm, or jeopardizes the health or well-being of an older person. Elder abuse takes on several forms according to the type of harm resulting.

- **Physical abuse:** Using physical force that results in physical injury, pain, or impairment. This includes assault, battery, or restraint.
- **Sexual abuse:** Non-consensual sexual contact of any kind with an older person.
- **Emotional/Psychological abuse:** Verbal assaults, humiliation, threats, harassment, intimidation, or other abusive behaviours which result in emotional disturbances of the victim. It also includes the willful infliction of mental or emotional anguish by threat, humiliation, or other verbal or non-verbal conduct.

- **Financial exploitation:** The misuse, theft, or withholding of an older adult's resources by another, to the older adult's disadvantage. It also includes illegal or improper use of an older person's funds, property, or resources.
- **Neglect:** Failure to provide for personal care (food, shelter, medical care, social contact) or forceful confinement or restraint of the older adult (either intentionally or unintentionally).
- **Domestic violence:** Escalating pattern of violence by an intimate partner where violence is used to exercise power and control.

## Who is Victimized?

Any person aged 65 and older may be a victim of elder abuse regardless of economic, social, ethnic, or cultural background. Victims come from all walks of life; they may be male or female; frail or in good health. The most typical victim is described to be a female of the average age of 72, living with the abuser (spouse, partner, or caregiver).

## Impacts of Crime

- **Physical and Emotional Impact:** They may recuperate more slowly, and life-threatening illnesses can occur.
- **Inability to recover financially:** If they lose income from a financial or real estate scam, robbery, or burglary, they often struggle even more if they are living on a fixed income.
- **Loss of Independence:** Studies have shown that crime is the catalyst that can bring an end to emotional and financial independence for older adults.
- **Diminished Quality of Life:** Elders may struggle to recover, worrying about the likelihood that it will happen again and regretting the consequences of the poor decision may drive victims to become reclusive, embarrassed, and distressed and suffer from poor self-confidence
- **Vicarious Victimization:** When a senior has not been a victim, but fears being one, they may alter their lifestyle by withdrawing from society, abandoning friends, church, and shopping. They may see the world from a warped perspective, which can happen to elders who are homebound and get all their news from TV.

## Prevalence

Research studies show that only 1 in 4 cases of elder abuse are reported. Psychological and financial abuses are listed as the most common types of abuse, both reported and unreported. Physical abuse is the third most prevalent type of abuse.

Statistics Canada reported, about 4 in 10 (34%) senior victims of police-reported family violence indicated that the accused was their grown child. Spouses (26%) were the second most likely family members to be identified as perpetrators of family violence against elders. There were 14,156 senior victims of police-reported violence in Canada in 2019, and 32% of them were victimized by a family member such as their child, spouse, or sibling.

Rates of victimization by siblings and extended family members, though notably lower than the rates of victimization by grown children, were also similar. Where male and female elders differ, most is in their risk of spousal violence. Females accounted for 58% of senior victims of family violence and they were most often victimized by a spouse (32%), while male elders were most likely victimized by their child. The rate of spousal violence for senior women (19.8 per 100,000) was nearly double the rate experienced by senior men (10.8 per 100,000). Still, elders, regardless of sex, had the lowest rates of spousal violence among all age groups; a finding supported by previous research.

Family violence against elders is far more prevalent in rural areas. For example, it was highest in Nunavut with a rate of 1,970 victims per 100,000 population and was lowest in Nova Scotia with a rate of 61 per 100,000.

According to the Canadian Department of Justice, approximately 10% of Canadian elders are victims of consumer fraud each year. Recently we have seen a rise in fraud and online scams. The Canadian Anti-Fraud Centre states that as of February 2022, \$75.5 million was lost to fraud in Canada. This year alone, more than 7,922 Canadians were victims of fraud. Elders are especially susceptible to fraud and online scams.

Senior victims of online scams and fraud are usually ashamed and embarrassed to report the crime. Senior citizens who have been affected by cyber scams should be able to easily find resources to assist them when they are a victim and should be able to receive information to avoid revictimization.

Individuals reading this document may be interested in learning more about cyber scams against senior citizens. Others may know an older adult who has been a victim of cyber scams or has been a victim themselves. This document holds information on why elders are seen as easier targets of cyber scams, the different types of scams that may be experienced, and where to get help if you are a victim of a cyber scam.

## Who is Typically the Abuser?

The abuser is typically a family member taking care of the elderly person, staffing personnel from the institution where the elderly person is living, or a spouse. It is not uncommon for the abuser to be a friend or a person whom the elderly is dependent upon, as they are in the position of power and authority. Psychological problems are often present, such as abusive or

violent patterns and psychopathology in the personality of a caregiver who abuses the elderly. Poor adjustment is a contributor as well; inability to sustain employment, failing relationships, and antisocial behaviour are the main signs of poor adjustment. Difficulties coping with stress brought by caring for the older person may also contribute to the abuse. However, no matter the factors involved, abusers make a choice to be abusive.

## Why Abuse Happens

There are many different reasons why abuse might occur, and it is important to note that every instance is unique. Some factors that have been identified include:

- **A history of abuse between family members:** For example, spousal abuse becomes elder abuse, or abused children become abused caregivers to elderly parents.
- **Dependency:** For example, the elderly person becomes dependent on family members, or someone is dependent upon the elderly person for money or housing.
- **Stress:** Might be caused by a number of factors, such as mental or physical illness, financial pressures, lack of support systems, lack of choice for accommodation for an elderly person, or fear of one's aging.
- **Alcohol or drug use.**
- **Greed.**
- **Lack of knowledge:** About the degree of care and needs of an elderly person.
- **Lack of respect:** Given to elderly people in a society that values youth, self-reliance, and energy.
- **Lack of professional awareness:** About the problem of elder abuse, so that it might continue undetected.
- **Institutional issues:** Poor working conditions, work overload, low salaries, inadequate staff training and supervision, and prejudiced attitudes.
- **Frailty:** The frailty of an elderly person increases the chance of being abused.

## Why are Elders Targeted?

Four main factors increase a senior's vulnerability to scams. The four main factors are availability, loneliness, sickness, and prosperity:

- **Availability:** Elders are seen as an ideal scam target because they are retired, less mobile, and available for calls. Elders are more reluctant to hang up on telemarketers and are not usually aware of fraudulent schemes which makes them a more appealing target. Scam artists know they can victimize older adults because their calls, drop-by visits, and claims will be entertained.
- **Loneliness:** Elders tend to be isolated from their family, friends, and communities, making them more receptive to those friendly cold callers. Scammers often make



themselves seem trustworthy and take advantage of older adults once they have built a relationship with them.

- **Sickness:** Chronic health issues mean that many older adults have difficulty maintaining their property. As some elders may rely on outside sources for help, scammers may take advantage of this situation. This is even more of a problem for those struggling with addiction, depression, and other mental health issues, as these may increase financial risk-taking behaviour. Elders struggling with dementia are particularly vulnerable. They struggle to learn new things, concentrate, and make decisions which makes them an easier target for scammers.
- **Prosperity:** Money is one of the most notable reasons for senior vulnerability. Scammers see elders as a supply of wealth. Elders who manage their life savings, own their homes and property, and have other assets are at higher risk to be scammed.

## Risk Factors for Abuse

- The senior citizen is socially isolated, especially due to physical disabilities or impairment.
- The victim suffers from some form of mental impairment, for example, dementia.
- The senior citizen has substance abuse problems, for example, alcohol or medication. Signs of abuse, for example, forced drug injection, may get misidentified as signs of voluntary substance use. Alcohol abuse can also impede access to services.
- Language barriers for the elderly person.
- Cultural barriers for the elderly person.
- Being a woman; women are at a greater risk of being victimized.

## Signs of Abuse

The following are the most common indicators of the presence of elder abuse. However, these are not the only signs possible since each case of abuse is unique to the personality of the abuser and the victim, as well as the situational circumstances.

### Physical Abuse:

- **Victim:** Bruises, black eyes, scratches, broken bones, signs of being restrained, lab finding of overdose on certain medications, sudden behaviour change.
- **Abuser:** Refusal to allow others to see the elder; family members providing different explanations regarding the nature of bruises and injuries; making sure health providers are changed often.

### **Sexual Abuse:**

- **Victim:** Bruises among breasts and genital area; unexpected STIs; unexpected anal or vaginal bleeding; torn, stained, or bloody underclothing; inappropriate, unusual sexual behaviour.
- **Abuser:** Inappropriate, unusual sexual behaviour; aggressive sexual behaviour; inappropriate sex-role relationship with the victim; makes sure health providers are changed often.

### **Financial Abuse:**

- **Victim:** Sudden changes in bank account statements; abrupt changes in a will; unpaid bills; unexpected money transfers.
- **Abuser:** Excessive interest in the elder's money; implausible explanations regarding where money gets spent; absence of documentation; over-involvement and preoccupation with the financial matters of the elderly.

### **Neglect:**

- **Victim:** Inappropriate dress; poor hygiene; malnourishment; no energy or spirit; dehydration.
- **Abuser:** Expressed anger, frustration, or exhaustion; lacks caregiving skills; refuses outside help or applying to services; isolates the elder from the outside world.

### **Psychological Abuse:**

- **Victim:** Emotionally upset or agitated; extreme withdrawal, non-responsive; avoids eye contact; distance from a caregiver.
- **Abuser:** Nervous, fearful, or quiet, and passive; try to prevent private conversation with the victim; impatient, irritable; demeaning statements about the elderly person.

## **Health Implications**

Abuse and neglect are major sources of stress and can have long-term effects on the health and well-being of older adults. The stress of abuse may trigger chest pain or angina and may be a factor in other serious heart problems. High blood pressure, breathing problems, stomach problems (ulcers), and panic attacks are common stress-related symptoms among older people who experience abuse.

Abuse has a significant impact on people at any age, but older adults can be especially vulnerable. In general, older adults have less physical strength and less physical resilience than younger persons. Some older adults may be very frail, or already have disabilities or impairments that leave them particularly vulnerable. Older bones break more easily and take

longer to heal. An injury or accumulation of injuries over time can lead to serious harm or death. For example, physical abuse may result in a hip fracture.

Many older adults experiencing abuse or neglect are isolated. Individuals who abuse or neglect older adults often threaten, harass, or intimidate them. For example, some abusers threaten to not let older adults see their grandchildren. Others may prevent older adults from having visitors or may threaten to leave them alone.

As a result of abuse or neglect, older adults often experience worry, depression, or anxiety. These signs may be mistaken for memory loss or illness when they are in fact the effects of stress or worry. An older adult may also feel shame, guilt, or embarrassment that someone in the family or someone close has harmed them. Some abused older adults may start to eat less, use more medications or drink more alcohol to help cope with the emotional and physical hurt. They may have difficulty sleeping or sleep too much. Some abused or neglected older adults may lose interest in life or become withdrawn. Some may have suicidal thoughts.

## Should I Report Suspected Abuse?

If there is any possibility of immediate danger of physical harm, then you should consider notifying the police or social services immediately. Otherwise, it is important to deal with cases of suspected abuse with a degree of care, particularly because the abuser might retaliate against the elderly person. It is also important to respect the dignity of the elderly person who might choose to accept or reject help.

Agreement on the part of the elderly person to any subsequent actions is very important unless the person is not mentally competent. For this reason, you should speak to the elderly person before taking any action and be sure that all possible outcomes of intervention are considered. In order to help him/her make their decision, you can highlight resources on elderly abuse and the names of agencies that can offer assistance.

## Why Victims Might Deny Abuse

Many cases of elder abuse do not get reported. Moreover, elderly people will often choose to deny abuse if suspected for various reasons, such as the following:

- **Non-recognition:** Victims might not be aware that the abuse is abnormal or wrong. It might be considered part of lifestyle, culture, or relationship. Victims also may not understand the nature of abuse generally. For example, mental confusion, blackouts, misinterpretation of events, might attribute to their imagination, forgetfulness (in the case of dementia), elderly men may have traditional values about the sexes (women being the

weaker sex) which would not allow them to recognize a woman as an abuser, or that the treatment they receive is abusive.

- **Control:** Victims might perceive the event as under their control; perceive abilities to cope with the abuse. Or fear, that if the abuse is disclosed, someone else will take control of their life.
- **Rationalization:** Self-blame, for example, “It could have been worse.” Or a belief that they are getting what they deserve, for example, if they feel they were not a good parent.
- **Shame:** Fear of being judged by others; fear of the family being judged by others.
- **Fear of abandonment/dependency:** “If the abuser leaves, who will take care of me?”
- **Fear of being placed in an institution.**
- **Fear of retaliation.**
- **A belief that police or social services cannot help them.**
- **A belief that they cannot prove abuse is happening.**

## How to Support Someone Who Discloses Elder Abuse

Very often, family members or close friends of elderly persons suspect abuse is happening, but the victim does not admit, disclose, or report it for one reason or another. It is important to give an opportunity for a person to tell you about what happened. Facilitate responses by asking non-threatening, reassuring and supportive questions such as the following:

- “How are things at home?”
- “Are you getting all of the care that you need?”
- “Who makes decisions in your life, like how and where you should live?”

Developing a trusting relationship with the elderly person and his/her family members is a good strategy. Make sure that the victim understands their rights to live free from abuse and how to identify grounds for complaints. Remind the victim that abuse can happen at any age. It is never acceptable. It is a violation of one’s rights as a human being and should not be tolerated.

## If You Are Being Abused, You Should Know:

- The abuse is not your fault.
- You do not deserve to be abused.
- All forms of abuse are **unacceptable**.
- Abuse should not be tolerated in any culture or religion.
- You have the right to have control over your life.
- You cannot control the abusive person’s behaviour.
- Abuse often gets worse over time.
- You have the right to be safe and secure.

Often, when someone is being abused, they may feel all alone in the world. They may think that they are the only person who is being mistreated. You need to know that many people are abused and while some people choose to leave the situation, others choose to remain and take steps to ensure that they are as safe as can be.

You can do so by developing a safety plan. Steps to become safer may include:

- Tell someone you trust what is happening to you. This may be a family member, friend, a personal support worker who may be helping you around the house, your doctor, a trusted neighbour, a service provider, or anyone else you trust.
- Ask others for help if you need it. Be specific, if you can, about what type of help you need.
- If someone is hurting you or you do not feel safe, you can turn to the police for assistance. Call 9-1-1 or call your local police service.
- Visit your local library, community centre, or other information centres in your community to find out information about services that you could access. If you have access to the Internet, and it is safe for you to use a computer to search for this type of information, search on keywords such as “abuse”, “elder abuse”, or “violence and safety.”

Your safety plan may also include: changing an element of your environment; changing your relationship with the abuser; scheduling regular home visits by personal support workers; increasing telephone contact with other family and friends; scheduling regular medical appointments; hiding emergency money somewhere outside of the house; giving copies of important documents and keys to trusted friends and family members; having an escape route planned including a pre-packed bag of clothes, medicine, or personal aids; and keeping important phone numbers of friends, relatives, emergency contact numbers close by or memorized.

## Responses to Elder Abuse

### Legal Options

Making a police report is often the first choice once elder abuse is disclosed. Reporting to the police might involve making a detailed verbal statement about the nature of abuse, having the police interview family members, caregivers, and neighbours who may have evidence, taking photographs of evidence, physical examination if a sexual or physical assault occurred, and identifying the abuser and testifying against him/her in court.

Criminal charges may be filed by police or the Crown prosecutors. Cases are then heard in either criminal court or special set court for family violence cases, depending on the province or territory. Yet, elder abuse can be difficult to substantiate due to the lack of independent witnesses in most cases. One of the ways to avoid a case coming down to one person's word

against another's is to keep a detailed record of the abuse, including dates/descriptions of occurrences, photographs (if possible) and/or financial statements.

### **Possible *Criminal Code* charges relating to elder abuse**

- In cases of **physical assault**: assault, sexual assault, forcible confinement, murder/manslaughter, administering a noxious substance, counselling suicide, robbery, and aggravated assault.
- In cases of **financial assault**: theft, fraud, robbery, forgery, extortion, criminal breach of trust, and conversion by a trustee.
- In cases of **neglect**: criminal negligence causing bodily harm and breach of duty to provide necessities of life.
- In cases of **psychological abuse**: intimidation, uttering threats, and criminal harassment.
- In cases of **sexual abuse**: sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm, and aggravated sexual assault.

### **Possible Remedies**

Peace bonds may be issued in cases when personal injury or damage to property is feared. This may be the situation where an older adult is subjected to certain kinds of abuse. A peace bond cannot be used to protect from emotional or financial abuse. A court can grant a peace bond that requires the abuser to have no contact with the older adult and to stay away from specific locations. Peace bonds last up to 12 months in Canada and you should carry a copy with you at all times. You do not need a lawyer to apply for a peace bond. Each province has different procedures in place for applying, but generally, peace bonds can be accessed at your local Provincial Court - Criminal Division.

In cases of financial abuse, courts can make orders for restitution. When a person is sentenced for a criminal offence, the judge can consider a request for restitution (which is monetary compensation for a victim). The restitution or compensation will relate to losses suffered as a result of the crime. It can include such losses as stolen property, lost wages, and moving costs. The request had to be made before a judge sentences the offender, so it is important that the Crown prosecutor have all the necessary information before sentencing. The difficulty is that restitution orders are difficult to enforce. Victims will likely have to initiate proceedings in small claims court (for amounts up to \$10,000) because unfortunately, most restitution orders are not paid voluntarily in Canada.

Civil action might be taken in the form of a victim suing the offender to regain funds or property back in case of financial abuse. Suing civilly, however, is a long and expensive process with no guarantee that the offender can pay.

Physical abuse, assault, and neglect are specified in *Criminal Code* and someone can be convicted of these offences. Victims of such crimes may be eligible to apply for compensation through provincial plans. Most programs require a police report to be filed within a year of the incident occurring (time limit extensions may be available) and for the victim to cooperate fully with the police investigation. A conviction is not required to receive compensation in most cases. This option is not available to victims of financial abuse or property loss/damage and criminal compensation is not available in all provinces.

It's important to note that the reporting of elder abuse is not mandatory in Canada, as it is for children. This is an area of the law that should be amended to ensure the protection and safety of elders, who are also vulnerable members of society.

## **Power of Attorney**

A power of attorney is a legal document that gives another person the authority to act for you in respect of property and other assets. A power of attorney can be made at any time to give another person authority to act for you. If the power of attorney, however, is to last beyond a time when the maker of the document becomes incapable of making her or his own decisions, the document must explicitly state that fact. For example, if the power of attorney does not state that it will be effective at a time when you become incapable of making your own decisions, the document will become void at that time. In some provinces, powers of attorney will also become void when another decision-making authority is empowered under another law, such as mental health law.

A power of attorney can also empower a person or persons of your choosing to act on your behalf for personal care decisions. All provinces have laws that allow people to create a legal document setting out their wishes relating to personal care at a time when they are no longer able to make those decisions for themselves. The legal documents are called by different names in different areas. For example, in Alberta, it is called a Personal Directive; in British Columbia, a Representation Agreement; in New Brunswick, a Power of Attorney for Personal Care; and in Quebec, a Mandate in Anticipation of Incapacity.

Generally, the document will:

- Name someone to make decisions on your behalf;
- Name people who can determine that your mental capacity is such that you can no longer make those decisions for yourself;
- Name those who are and who are not to be told about the document becoming effective; and
- Give instructions with regard to confidential information about you.



Each provincial law may have different requirements for creating a valid document, so it is necessary to find out what the law in your area requires. Generally, the maker of such a document must be over a certain age, and the document should be signed and dated in the presence of a witness. There may be restrictions regarding who can witness the document, for example, the person designated in the document as the agent may be restricted from being a witness.

The naming of power of attorney is important and should be someone you trust. It can be a relative, a friend or a professional you trust. The person you have appointed should keep an accurate account of all financial transactions. This person is entitled to payment unless you state otherwise and there is a fee payment set out in law.

A power of attorney for personal care enables the appointee to make personal care decisions such as health care, personal hygiene, nutrition, shelter, clothing and safety if you become incapable of making those decisions.

## **A Will**

A will is a legal document that sets out your wishes concerning the distribution of your property and possessions when you die.

- The maker of a will is called a “testator”.
- If you die without leaving a will, you are said to have died intestate. If you die intestate, the law then deals with the way your assets and possessions will be distributed. Generally, the rules set out an exhaustive list of alternative scenarios that deal with a surviving spouse and children and possibly a surviving adult interdependent partner. If there is no spouse, no children, and no adult interdependent partner, the estate goes (in order) to surviving parents, siblings, nephews and nieces, and next of kin.
- The property and possessions that you leave when you die are described as your “estate”.
- When you make a will, you can appoint one or more persons to look after your estate. This person is called an “executor.”

A will is one of the most important documents one will ever write. It is an opportunity to record your wishes for the dispersal of your property in the event of your death. It is best to use the services of a lawyer of your choice when preparing a will. You cannot be forced to sign a will.

## **Combating Elder Abuse**

Educating institutional staff and family members about the prevalence of elder abuse, and the aging process and strengthening stress coping responses is an important step in reducing the occurrence of elder abuse. Recognition that elders deserve a high quality of life that does not



include abuse is also important. Most provinces in Canada have local services for elderly people subjected to abuse or at risk of abuse. Various prevention boards are established to raise awareness within the public about recognizing and reporting elder abuse. In recent years, there has been a shift toward establishing community protocols in an attempt to improve service delivery.

Safety, both physical and financial, is one of the main issues for elderly people today. Yet, while many elders share the fear that they will somehow become victims, elder abuse is not often talked about. More and more, we are seeing a growing awareness of fraudulent scams targeting elderly persons, but other forms of abuse are not yet recognized as a societal problem.

The consequences of abuse for elderly persons are serious. They include learned helplessness, mortality, depression, fear, anxiety, and a variety of other psychological and physical disturbances. The disclosure of elder abuse should be taken very seriously. People who suspect an elder is being abused should reach out to help and support that person while ensuring their autonomy is respected. It is important to consider all the ramifications before reporting abuse to the authorities. If the senior is in good health and of sound mind, it should be their decision.

## Financial Abuse

Financial abuse is the most common form of elder abuse. It occurs when an individual steals from an older adult or takes advantage of them financially. Elder abuse can be perpetrated by strangers, but financial abuse typically occurs at the hands of somebody known and trusted by the older adult, such as a spouse and other family members, friends, neighbours, landlords, caregivers, and service providers.

### What Does Financial Abuse Look Like?

When someone:

- Steals money, pension cheques, or personal belongings
- Lives with an older adult and does not pay their fair share of the expenses
- Uses the older adult's credit card or bank card without their permission or signs cheques in their name
- Pressures the older adult into making major financial decisions, like selling their home or giving away their money

## Protecting Yourself from Financial Abuse

- Make sure information about your financial accounts and legal documents is up to date
- Protect your financial and personal information by keeping it in a safe place, like a drawer with a lock or a safety deposit box
- Don't share your passwords, Personal Information Numbers (PINs), bank cards, or credit cards
- Do financial transactions yourself if you can, for example, you can use online and phone services if it's difficult for you to leave your home
- Set up direct deposit for pension cheques and have payments for your bills and expenses come from your bank account or credit card so you can monitor transactions more easily
- Get legal advice before signing important documents
- Keep a record of the money you give to others and note whether it is a loan or a gift

## Types of Financial Scams

### Subscription Traps

Subscription traps usually include being offered a "free" or "low-cost" trial of a product or service like weight loss pills, health foods, and anti-aging products, and entering your card information to cover shipping costs. After accepting the monthly subscription, it may be difficult/impossible for you to cancel your subscription.

Subscription traps are easy to fall into but there are some ways to avoid them:

- Stop and think before entering your credit card information. Resist high-pressure sales tactics like pop-up surveys, customer queues, or countdown timers.
- Question statements and slogans that seem too good to be true. If the advertisement has celebrity endorsements, remember celebrity images are often used without consent.
- Find and read the terms and conditions. If you can't find or understand the terms and conditions, don't sign up for the trial.
- Clicking "proceed to checkout" or "complete my order" may automatically add more products to your order. To avoid further charges, look for the fine print.
- Do an online search for the company or product with the words "complaint" and "scam" to help find potential issues. Usually, previous victims will post on forums if certain companies or products are scams.
- You can use ad blockers to hide social media ads, pop-up surveys, and sponsored "news" articles.

## Identity Theft

Identity theft is when scammers attempt to collect or reproduce your personal information to commit fraud. Online, scammers use spyware and viruses or hacking and phishing techniques to get this information. Offline, they can go through trash bins or steal your mail. When these scammers acquire information such as your bank account details, full name, and signature, or social insurance number, they can make purchases with your accounts, apply for loans or mortgages, obtain GST/HST rebates or refunds, benefits, and credit payments, or income tax refunds, obtain a passport, etc. You should conduct a regular review of your credit report and do so immediately if you think your personal information has been compromised.

## Credit/Debit Card Frauds

Credit/debit card fraud is when a scammer uses your credit or debit card, or a copy, to make purchases and withdraw money from your account. These scams usually start as calls from people who say they are with the fraud department at a bank. They claim your credit card has been compromised and to verify that they have the right account, you must read them your credit card number.

Other ways a scammer can get your credit/debit card information is by going through your garbage or mailbox to find credit card statements or other banking information, swiping your credit card through a device that copies the information stored on the magnetic stripe of your card, hacking into the computers of companies and stealing credit card information, installing small devices on payment terminals that record your credit card information, or asking you to use your credit card on an illegitimate website to make a “purchase”.

There are several ways to avoid credit/debit fraud:

- Chip cards: In Canada, all federally regulated financial institutions must decline any magnetic stripe transactions. All newly issued Canadian credit cards have a computer chip that makes transactions more secure. The computer chip works with your PIN to make sure you are the one permitting each transaction. This helps protect you against fraud if someone steals your card.
- Keep your PIN secret: Choose a PIN that is difficult to guess. For example, avoid using your birthday, Social Insurance Number, address, or telephone number as your PIN. Also, avoid writing your PIN down and try to memorize it instead. If you need to write down your PIN, make sure you keep it in a safe place. If you choose to connect your credit/debit card to your phone, make sure you have a phone passcode and keep that passcode a secret.

Protect yourself from credit card fraud when on the telephone by also doing the following:

- Avoid giving out credit card information over the phone if you're in a public place or you think somebody else may be listening

- Only give your credit card information to a company you trust
- Request further information from someone who calls asking for credit card information
- If you're unsure that the company that is calling and requesting your credit card information is legitimate, hang up and contact the Better Business Bureau.

## Internet Card Scams

Internet card scams usually come up as online pop-up surveys claim that an iPhone can be won. The survey requires the entry of personal and credit card information, and when victims get their credit card statements, they find that their cards have been charged for purchases that they didn't authorize.

## Online Scams

Online scams are similar to internet card scams but instead of a survey the pop-ups warn of a virus and prompt victims to buy and download a fake anti-virus program, or they give you an actual computer virus to get your information.

## CEO Scams

CEO scams include scammers impersonating a senior company executive and making urgent claims. For example, they might say they need you to wire money for them to secure an important contract, complete a confidential transaction, or update a supplier's payment information.

To avoid CEO Scams:

- Keep antivirus software up to date and ensure you have a strong password to protect email accounts from hackers
- Double-check with executives when they send wire transfers requests by email, even when they look legit. Don't use the contact information provided in the message and don't reply to the email.
- Take a careful look at the sender's email address. The email address may be very similar to the real one but may have one or two letters different.
- Establish a standard process that requires multiple approvals for money transfers.
- Limit the amount of employee information available online and on social media.

## Health and Medical Scams

The most common health and medical scams are miracle cures, weight loss programs, and fake online pharmacies. In these types of scams, scammers offer alternative medicines and treatments that seem to treat serious conditions quickly and easily or other services that seem legitimate. These may be endorsed by celebrities or backed up by testimonials of individuals who claim to be cured.

## Business Scams

There are several types of business scams. The first is directory scams. A directory scam is when a scammer sends your company a proposal for a listing or advertisement in a magazine, journal, or business directory (print or digital). They will call to confirm your company details, and then the accounting department will receive and pay the bill, unaware that your company never ordered or authorized the service. The second is a health and safety products scam. In this type of scam, you may receive a call from somebody claiming to be from the provincial government, telling you to update your company's health and safety training or to replace your first aid kits. In both cases, you may be told to act quickly. The third business scam is an office supply scam. In this type of scam, you may receive and be charged for items that you didn't order. Scammers will often hound you to pay the amount they claim you owe and may go as far as to claim that you will be reported to a collection agency if you do not agree.

## Phishing and Smishing Scams

Phishing is defined as receiving unsolicited scam emails that claim to be from legitimate organizations like financial institutions, businesses, or government agencies. Scammers ask you to provide or verify your personal or financial information (credit card number, passwords, social insurance number) by email or by clicking on a weblink. Smishing is the same as phishing but occurs via text messages.

## Tax Scams

Tax scams are scams in which you get a message from the CRA claiming you're entitled to an extra refund if you provide your banking information, or you get a call telling you that you owe the CRA money that must be paid right away or else you will be reported to the police. These scammers often request personal information such as SIN number, credit card number, bank account number, or passport number, and are very aggressive.

To avoid being scammed, be aware of what the CRA is able and not able to do. The CRA will never be aggressive/threaten you, ask for payments via prepaid credit cards or gift cards, use e-transfer, or use text messages to communicate. The only payment methods accepted by CRA are online banking, debit card, or pre-authorized debit.

## Door-to-Door Scams

Door-to-door salespeople use high-pressure tactics to convince you to buy a product or sign up for a service you don't want or need. These are often for charitable donations, investment opportunities, or home services and appliance maintenance. In many cases, you never receive the product or service promised. If you do, the products or services are of low quality.

If you find yourself in a situation in which you think a door-to-door salesman is scamming you remember that sellers must follow certain rules unless they are selling something worth \$100 or less. Door-to-door sellers must:

- Have a permit from the consumer protection office
- Give you a contract with their information, the total price you must pay and the terms of payment if you choose to buy from them
- You have the right to cancel your contract/purchase

## Emergency Scams

Starting with a grandparent receiving a phone call from a con artist claiming to be their “grandchild”. Their “grandchild” claims to be in trouble (in jail, in a car accident, struggling to return home from a foreign country) and in need of money immediately. They will ask you questions to gain your personal information and swear you to secrecy, saying they’re embarrassed and don’t want other family members to find out what’s going on. Common claims from scammers are a “grandchild” in trouble, a lawyer or police officer, or an old neighbour/family friend that is in trouble.

## Purchase of Merchandise Scams

Fraud accounts on legitimate auction sites or online marketplaces advertise their products at very low prices. If you do receive something, it may be of poor quality or a bad imitation of what you originally ordered. Another type of purchase of merchandise scam is being lured into clicking on sponsored links that direct you to a website that seems genuine, but your information is unprotected and the services that legitimate websites offer are unavailable.

When buying something online always remember the seller must provide you with:

- Their name and contact info
- A detailed description of the product/service
- Total price, incl. taxes and any extra charges
- Currency
- Delivery date or time
- Shipping method and company
- Exchange/return policy

When banking or shopping online, look for websites with addresses starting with “https” or ones that have a padlock image on the address bar. These are signs that your information will be secure.

## Sale of Merchandise Scams

A scammer will agree to buy your item without seeing it. You will get a notification that claims the payment is pending, but the money will not be released until you provide a tracking number for the goods. You will only learn that the payment notification was fake after you have shipped the merchandise. You may get paid with a fraudulent cheque or a stolen credit card. Another way "sale of merchandise" scams occur is when the scammer tells you that there is an issue with your PayPal or bank account, and you need to pay a fee to obtain a business account to complete the transaction. The scammer offers to pay the fee if you reimburse them using a transfer or wire service. If you agree and pay, the money for the "fee" goes straight to them.

## Canada Border Services Agency (CBSA) Scam

In a CBSA scam, scammers will claim your online purchase was blocked at the border, goods were found to be illegal. After they make this claim, they will demand immediate payment or state that you will face arrest or potential jail time.

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*"We will never call, text, or email you asking for your SIN or credit card information" - CBSA*

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## Pet Scams

Scammers using pet scams will usually offer low prices to buy a pet, pressure you to complete the transaction quickly, and use insecure payment methods, sometimes with attempts to get more money out of the buyer through other "expenses".

## COVID-19 Related Scams

Currently, due to COVID-19, scams have changed. Although the same methods may be used, they have been adapted to fit the current state of our world.

- Phone Scams and Text Message Scams: Fraudulent calls that appear to be from the Government of Canada or the Public Health Agency of Canada. These calls claim you have tested positive for COVID. Text message scams include texts for the "Canada relief fund", and "Covid-19 relief fund", or appear to be from the Canadian Red Cross.
- Phishing Emails: These emails appear to be from federal government agencies offering money or from the World Health Organization suggesting you open and read their attachment on protecting yourself from COVID.



- Fake Websites and Charities: Scam websites are made to look like the Public Health Agency of Canada site. They may state that they are giving away masks and gloves in exchange for a donation.
- Online Shopping: Scam pages selling masks, hand sanitizer, and products to “super-clean your house”. They may state that they are selling COVID-19 tests.
  - Important note: COVID tests cannot be purchased

## Romance Scams

During the COVID-19 pandemic, romance scams have been on the rise. This particular type of scam can look very different in many instances. A scammer might send you messages and photos of themselves or use catfishing on legitimate dating sites. Catfishing is when a scammer claims to look or be someone who they are not. Scammers may gain your trust and convince you to enter an online relationship. Once they gain your trust, a scammer may ask for money for travel, a medical emergency, or family assistance, to join a business venture with them, or to invest in cryptocurrency. Scammers of romance scams are usually very experienced and use technology to their advantage.

Another type of romance scam is when scammers create fake dating sites where you must pay for each message you'll send and receive. They send vague emails about their love and desire for you to keep you paying. To make these scams seem more legitimate, arrangements to meet up in person may be made but never really happen.

Common signs of romance scams may include:

- when someone you haven't met in person professes their love to you
- when someone online wants to quickly move to a private or different mode of communication (email, text, WhatsApp, Google Hangouts, etc.)
- when the individual online always has an excuse not to meet in person
- when the individual sends poorly/oddly written messages, sometimes even addressing you by the wrong name
- when the individual claims to live close to you but is working overseas
- when the individual acts distressed or angry to guilt you into sending money
- when the individual discourages you from discussing them or their situation with your friends and family (attempting to isolate you from those who may be suspicious of the relationship)



# What To Do If You Are a Victim of Cyber Scams or Financial Abuse

Many senior victims of cyber scams and financial abuse do not want to come forward since the most common perpetrator is someone they know. If you are a victim of financial abuse, speak to someone you trust about what is going on. If you do not have a person who can help you, you can use community resources. You can go to your bank or credit union, your local elder centre, or your doctor to ask for advice. If you do decide to file a report, contact your local police.

## Legislation

Victims of crime are protected under the Canadian Victims Bill of Rights. It states that a victim is “an individual who has suffered physical or emotional harm, property damage or economic loss as the result of the commission or alleged commission of an offence”. While an offence is “an offence under the Criminal Code, the Youth Criminal Justice Act or the Crimes Against Humanity and War Crimes Act, a designated substance offence as defined in subsection 2(1) of the Controlled Drugs and Substances Act, a designated offence as defined in subsection 2(1) of the Cannabis Act or an offence under section 91 or Part 3 of the Immigration and Refugee Protection Act”.

The Criminal Code covers identity theft and fraud. Identity theft is a crime in which a person obtains or possesses another person’s identity information with the intent to use it to commit an indictable offence that includes fraud, deceit, or falsehood as an element of the offence. While identity fraud is an offence in which someone fraudulently personates another person, living or dead, with intent to gain advantage for themselves or another person, obtain any property or interest in any property, cause disadvantage to the person being personated or another person; or to avoid arrest or prosecution or to obstruct, pervert or defeat the course of justice.

The Protecting Canadians from Online Crime Act is an act to amend the Criminal Code, the Canada Evidence Act, the Competition Act, and the Mutual Legal Assistance in Criminal Matters Act. It amends the Criminal Code to include:

- (a) a new offence of non-consensual distribution of intimate images as well as complementary amendments to authorize the removal of such images from the Internet and the recovery of expenses incurred to obtain the removal of such images, the forfeiture of property used in the commission of the offence, a recognizance order to be issued to prevent the distribution of such images and the restriction of the use of a computer or the Internet by a convicted offender; -
- (b) the power to make preservation demands and orders to compel the preservation of electronic evidence;

- (c) new production orders to compel the production of data relating to the transmission of communications and the location of transactions, individuals or things;
- (d) a warrant that will extend the current investigative power for data associated with telephones to transmission data relating to all means of telecommunications;
- (e) warrants that will enable the tracking of transactions, individuals and things and that are subject to legal thresholds appropriate to the interests at stake; and
- (f) a streamlined process of obtaining warrants and orders related to an authorization to intercept private communications by ensuring that those warrants and orders can be issued by a judge who issues the authorization and by specifying that all documents relating to a request for a related warrant or order are automatically subject to the same rules respecting confidentiality as the request for authorization.

## Steps After Being Scammed

- **Collecting Your Thoughts:** Stay calm and gather all the information about the fraud. Collecting information would include collecting documents, receipts, copies of emails, and/or text messages.
- **Contact your Financial Institutions:** Report the incident to the financial institution that transferred the money. If you're a victim of identity fraud place flags on all your accounts, change all of your passwords, and report the fraud to both credit bureaus (Equifax and TransUnion)
- **Contact the Police:** Report the incident to your local police and get a file number for future reference. If you find suspicious activity on your credit report, update your file with the police.
- **Canada Post:** If you suspect that someone had your mail redirected, contact Canada Post at 1-866-607-6301. You should also notify your service provider (telephone, cell phone, electricity, water, gas, etc.) of the identity fraud.
- **Lost, Stolen, or Misused Immigration Documents:** Contact Citizenship and Immigration Canada if your immigration documents have been lost or stolen or if you suspect someone is fraudulently using them. Fraud can be reported at 1-888-495-8501 or 1-888-502-9060.
- **Lost or Stolen Passport:** If your passport is lost or stolen, report the incident to Passport Canada and your local police.
- **Stolen Social Insurance Number:** If you have your social insurance number stolen:
  - File a complaint with the police
  - Contact the Canadian Anti-Fraud Centre
  - Call Canada's 2 National Credit Bureaus (Equifax and TransUnion)
  - Inform your bank and creditors
  - Visit Service Canada
- Consider changing your email address, internet service provider, and home telephone if the scammer has contacted you through one of these means

- Tell family, friends, and co-workers about the harassment: A lot of victims of cyber scams fear telling their family members and friends due to embarrassment but telling others can protect them from becoming the scammer's next victim and allow you to get the support you need.

## Resources

**The Canadian Anti-Fraud Centre:** The CAFC is jointly managed by the RCMP, the OPP, and the Competition Bureau of Canada. The CAFC plays a key role in educating the public about specific fraudulent schemes and in the collection and dissemination of victim information, statistics, and documentation. The CAFC can be contacted at 1-888-495-8501.

**The Ministry of Consumer Services:** The Consumer Protection Branch administers approximately 20 consumer protection and business licensing statutes. The Consumer Services Bureau of the branch helps consumers and businesses resolve disputes. As a consumer, elders need to know their rights.

**Royal Canadian Mounted Police:** The RCMP operates Canada-wide and may be a useful resource in determining answers to issues ongoing across the country. Every day, the RCMP receives questions, comments, and fraud complaints. The RCMP website features the most current and popular frauds in Canada.

**Canadian Consumer Handbook:** This handbook is designed to provide Canadians with easily accessible tools to help them make better decisions about goods and services in the marketplace.

**The Seniors Safety Line:** The only 24-hour crisis and support line for elders in Ontario who have experienced any type of abuse or neglect. They can be reached at 1-866-299-1011.

**National Do-Not-Call List:** To register, call 1-866-580-3625; for TTY, call 1-888-362-5889. Call from the phone number you wish to register.

**Canada's Anti-Spam Legislation (CASL):** CASL protects consumers and businesses from the misuse of digital technology, including spam and other electronic threats.

## Prevention Tips for Online Scams

- Trust your instincts
- Avoid/delete suspicious messages
- Use strong and unique passwords
- Use a credit card when shopping online
- Regularly check your credit card statements
- Shield your PIN when using your card
- Limit the details you share publicly
- Never use the contact info from suspicious messages

- Use antivirus software on all devices
- Shred and destroy documents with personal information
- Appoint a Continuing Power of Attorney for Property and a Power of Attorney for Personal Care
- Make a will and give a copy to someone you trust

## Elder Abuse and CRCVC

CRCVC recognizes the need for elders to be supported when they are victims of fraud, scams, and abuse. CRCVC launched an informative webinar and this publication as part of the New Horizons Seniors Cyber Training to help elders and their families who have fallen victim to these crimes and now need help in understanding their rights, recourse available, and provide available resources once they have entered the legal system.

All CRCVC services are completely free and confidential. We are able to help support you and your loved ones through the process, whether or not someone chooses to report.

Becoming a victim of cyber scams can be devastating but you can receive assistance from many different resources. Senior victims of fraud often feel embarrassment, shame, and guilt but informing those around you about what is going on is important.

While some victims may choose to report the crime, others may feel like they can't for various reasons. Victims may believe that if they do not report the crime, they may not be able to receive support. On the contrary, CRCVC does not require a police report to access our services. We can connect you with various crime assistance programs including counselling, emergency shelter, and crisis intervention, amongst many other services. CRCVC believes that victims must be empowered to regain control of their lives.

If you have any questions or concerns, please contact us:

Call: 1-877-232-2610

Email: [crcvc@crcvc.ca](mailto:crcvc@crcvc.ca)

Text 613-208-0747

Live chat on our website: [www.crcvc.ca](http://www.crcvc.ca)

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