

Abuse of People with Disabilities for Service Providers



Abuse is a serious threat to many people with disabilities.

This booklet provides an overview of abuse, describes indicators of abuse, and suggests ways in which you can support people with disabilities who experience abuse.

People with disabilities are at a risk of experiencing abuse

- People sometimes have misconceptions about people with disabilities that can include negative attitudes.
- People with disabilities are sometimes socially isolated.
- People with disabilities are sometimes in relationships where another person controls the decision-making.
- People with disabilities may need to rely on others for the necessities of life, including intimate personal care.
- When abuse happens, people with disabilities may not be believed, may not know what their rights are, or may be unable or afraid to report abuse.
- People with disabilities often have much lower incomes, leaving them more vulnerable to abuse.



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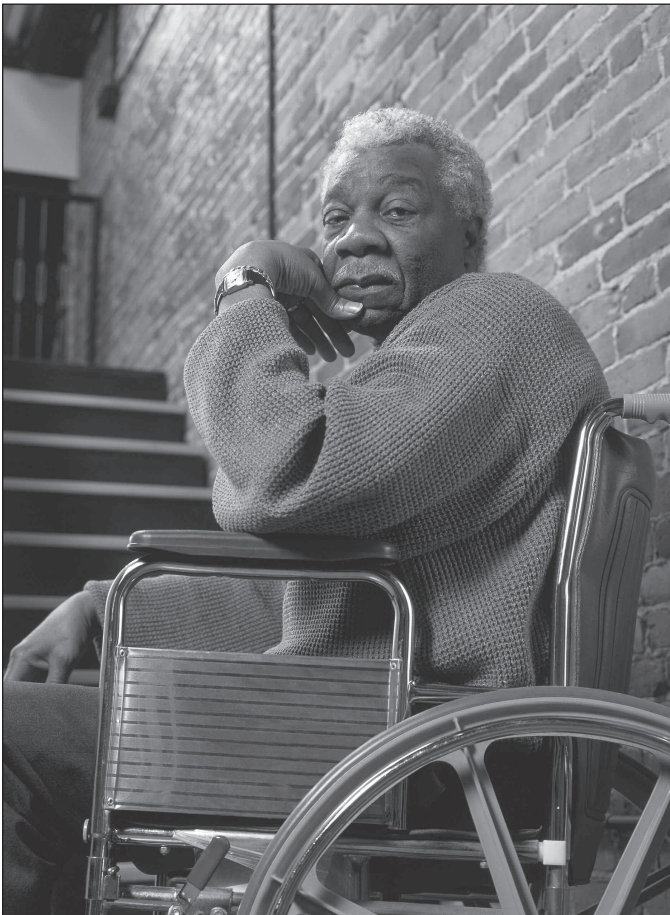
What is abuse?

Abuse is anything that causes harm to an individual. Abuse can be physical, sexual, emotional, or financial. Abuse can happen in the home, in institutions or in public. Abuse of people with disabilities, like all forms of abuse, is an abuse of power and control.

Physical abuse: is intentionally causing a person pain or injury. Common examples include:

- hitting, kicking or pinching someone;
- handling someone roughly or slapping them; and
- giving someone inappropriate medication — too much, too little or the wrong medication.

Sexual abuse: is forcing someone to have sex. It includes kissing and sexual touching, as well as intercourse.



Emotional abuse: is behaviour that takes away someone's dignity and self-worth. Common examples include:

- calling someone names or putting them down;
- isolating or ignoring someone;
- threatening to remove someone's benefits, services, medication, treatment, etc.;
- threatening to hurt someone's pets or damage or take his or her personal belongings;
- removing someone's aids (such as a wheelchair or communication device); and
- threatening to send someone to an institution.

Financial abuse: is controlling another person's finances without permission. Common examples include:

- withholding someone's money for basic necessities such as food, clothing, medication, and transportation;
- preventing someone from getting to work or denying them access to employment altogether;
- doing anything with the person's money that they have not authorized (can often include criminal activities such as theft, fraud, and forgery);
- depriving someone of financial benefits; and
- taking someone's money for food and shelter and gambling it away or using it to buy drugs, etc.

Neglect: is when caregivers do not meet the needs of people they serve. A caregiver can be a family member or someone who is paid to help.

Neglect may involve not giving someone food, care, or necessary medication. It is also neglect when someone does not stop another person from being abused. Common examples include:

- not providing someone with enough to eat or drink;
- not providing someone with appropriate supervision;
- not providing someone with enough heat or electricity;



- not providing someone with appropriate personal care;
- withholding a person's dentures, glasses, hearing aids, etc.;
- allowing a person to develop skin conditions or pressure sores; and
- allowing a person's medical problems to go untreated.

Contributing factors to abuse

Caregiver stress: Caregiver or family stress can trigger the abuse of a person with a disability. Often the abuser will blame the person with the disability for the abuse, saying that the disability itself “provokes” the abuse.

Negative role models: The abuser may have learned that abusive behaviour is acceptable, often through his or her own experiences of abuse.

Negative stereotypes: People with disabilities may be seen as a burden or passive or worthless. These stereotypes often contribute to abusive behaviour.

Barriers to disclosure

People with disabilities face many barriers to reporting the abuse. Examples include:

Fear: The person may be unable to escape the abuser's control. The abuser may be threatening to withdraw services, remove the person's children, or hurt the person's family members or pets.

Economic dependence: Economic dependence or poverty can keep people with a disability trapped in an abusive relationship. They may lack financial resources, educational qualifications, or employment skills or experience.

Isolation: Some people with disabilities have had little or no contact with anyone other than their caregivers. They may not have people who can listen to their complaints and act on their behalf.

Lack of access: People with disabilities often do not have access to appropriate support services.

Credibility issues: People with disabilities are often devalued and considered to be less credible. For example, they may be seen as unreliable witnesses in court simply because they have a disability.



Indicators of abuse in people with disabilities

Physical signs can include:

- unexplained injuries, pain, or bruising;
- a delay in seeking medical treatment;
- oversedation through self-medication;
- stained, torn or missing clothes;
- a change in sexual behaviour;
- unexplained pregnancy; and
- sexually transmitted diseases.

Behavioural signs can include:

- behavioral extremes, like hyperactivity or mood swings;
- an unusual fear of a particular person;
- an avoidance of specific settings;
- a fear of intervention by authorities and others;
- depression;
- sleep disturbance;
- eating disturbance;
- withdrawal;
- excessive crying spells;
- excessive weight loss/gain;
- poor self-esteem; and
- self-destructive behavior.

Circumstantial signs can include:

- alcohol or drug abuse by the caregiver; and
- negative attitudes by the caregiver towards the disabled person.

Although no one should jump to conclusions, do take all of these indicators seriously.

Adapted from *Violence and Abuse in the Lives of People with Disabilities* (1994), D. Sobsey.



Preventing abuse

The best way to prevent abuse is to make sure that people with disabilities:

- are involved in the community;
- have control over their lives and make their own decisions;
- can do as much on their own as possible; and
- can get information about their rights.

Actions that service providers can take to help prevent the abuse of people with disabilities include:

- appreciating the impact and prevalence of abuse of people with disabilities;
- learning to recognize the signs of abuse;
- listening to, believing, and acting on reports of abuse by people with disabilities;
- recognizing and respecting the fact that many persons with disabilities are able to exercise independent decision-making; and
- knowing about, and networking with, victim-serving resources.

What can you do if someone is experiencing abuse?

Provide information, support, and practical assistance

If you suspect that someone is being abused, speak to them in private. You can ask:

- Are you having trouble? Can I help you?
- Can I contact a friend for you?
- How would you like to be assisted?

If someone reports abuse to you, allow sufficient time for him or her to tell the story. The full scope of the abuse is usually revealed over time. Make sure you:

- create an environment of safety and support and prepare for the person's specific needs (e.g. a very quiet space, time to rest, etc.);
- encourage the person to contact a trusted family member or friend for support;
- explain the options available to the person;
- discuss the advantages and disadvantages of each option or contact someone who can do this;
- let the person make his or her own decision;
- call the police and Victim Services if the person's safety is at immediate risk; and
- help stop abuse and neglect. Report it!

What if the person cannot get help on his or her own?

If you know or suspect that someone:

- is abused, neglected or neglects him or herself;
- is refusing support and assistance; and
- appears to be mentally incapable or physically unable to get help on his or her own – report the situation.

In BC, contact one of the following designated agencies:



- your regional health authority; or
- your local community living service on the Community Living BC (CLBC) website at www.communitylivingbc.ca/ (for adults with a developmental disability).

You can find local numbers for reporting abuse and neglect on the Internet at:

<http://www.trustee.bc.ca/pdfs/STA/DA%20Cont%20List%20-%20June%202021.pdf>

Know what legal protections are available

Reporting abuse and prosecuting abusers has been shown to reduce the instances of abuse.

- All Canadian provinces have mandatory reporting requirements for child abuse. Under the BC *Child, Family and Community Services Act*, any suspected abuse or neglect of a child must be reported.
- A range of Criminal Code offences relate to abuse. These include assault and sexual assault provisions, as well as fraud, theft, mischief, criminal harassment (also known as “stalking”), uttering threats, intimidation, and extortion. The Criminal Code specifically prohibits a person in

a position of trust or authority from engaging in sexual behavior with a disabled person, without his or her consent.

- Guardianship legislation is designed to protect vulnerable adults from abuse. The *BC Adult Guardianship Act* requires that designated agencies that receive reports of abuse or neglect must look into these reports and gives those agencies practical tools for intervention in extreme circumstances. See *Protecting Adults from Abuse, Neglect and Self-Neglect*, www.trustee.bc.ca/pdfs/STA/Protecting%20Adults%20from%20Abuse%20and%20Neglect.pdf
- Under the *Canada Evidence Act*, if a witness has difficulty communicating because of a physical or mental disability, the witness may be able to give evidence by any means that allows the evidence to be understood.
- Provincial **human rights legislation** protects people with disabilities from discrimination. If the abuse does not fall under the Criminal Code, the abused person may wish to use human rights protections. In BC, they can make a complaint under the *Human Rights Act*.
- **Protection orders:** These are orders made by a judge in court that contain conditions to provide safety and security to one or more people. There are two kinds of protection orders: peace bonds (for anyone), and restraining orders (for partners only).

See *For Your Protection: Peace Bonds and Restraining Orders*,

www.pssg.gov.bc.ca/victim_services/publications/guides/PeaceBondsRestOrdersWEB.pdf

- Provinces and territories have legislation specifically for victims. In BC, the *Victims of Crime Act* provides rights to victims of crime, including the right to be treated with courtesy, respect, and without discrimination by all justice personnel. The *BC Crime Victim Assistance Act* provides financial assistance and/or benefits to

eligible victims injured as a result of certain crimes.

See *Your Rights as a Victim of Crime*: www.pssg.gov.bc.ca/victim_services/publications/guides/YourRights.pdf

(Available in eight languages)

Systemic changes

- Institutions need to support and promote residents' and their independent advocates (sympathetic friends and family or supporters) to prevent abuse and to encourage disclosure.
- Programs that provide services to people with disabilities need to have carefully screened, trained, and supervised staff. Providing positive role models and working conditions is an important factor in helping to prevent the abuse of people with disabilities.



Abuse prevention information sites

National Clearinghouse on Family Violence (NCFV)

www.hc-sc.gc.ca/hppb/familyviolence/

Operated by the Public Health Agency of Canada, the NCFV provides information on violence prevention resources, including violence against people with disabilities.

Ph: 613-957-2938 or Toll Free: 1-800-267-1291;

TTY: 1-800-561-5643; Fax: 613-941-8930

Email: ncfv-cnivf@phac-aspc.gc.ca

Community Response Network (CRN)

www.bccrns.ca

Operated through the BC Association of Community Response Networks, a CRN is a group of people and organizations in a community who work together to create a coordinated community-wide response to adult abuse, neglect and self-neglect by raising community awareness, providing education, and working towards prevention.

VICTIM SERVICES

VictimLINK 1-800-563-0808

VictimLINK provides immediate crisis support to victims of family and sexual violence and referrals to local Victim Service Programs and other resources.

Toll Free: 1-800-563-0808, 24 hours a day, seven days a week;

TTY for deaf and hard of hearing people: 604-875-0885 (collect calls accepted); Text: 604-836-6381.

The Victim Services and Crime Prevention Division funds a network of victim service programs. The Victim Services Division Directory is available at:

www.pssg.gov.bc.ca/victim_services/directory/index.htm

DISABILITY SITES

BC Coalition of People with Disabilities

www.bccpd.bc.ca

BCCPD is an umbrella disability rights group. They can direct you to other services and disability resources in BC.

#204-456 West Broadway

Vancouver BC V5Y 1R3

Ph: 604-875-0188; Fax: 604-875-9227;

TTY: 604-875-8835

Email: feedback@bccpd.bc.ca

BC Association of Community Response Networks

Approximately 30-40 communities in BC have active CRNs supported by the BC Association of Community Response Networks. CRNs include everyone in the community with an interest in ensuring people get help and working toward prevention, but as a whole CRNs do not deal with individual reports of abuse.

www.bccrns.ca

142-757 W. Hastings St., Suite 684

Vancouver, BC V6C 1A1

Ph: 604-660-4482

Email: crns@telus.net

DisAbled Women's Network (DAWN)

www.dawncanada.net

DAWN deals with violence and abuse against women with disabilities.

110 Sainte-Thérèse Street, Suite 005

Montréal, QC H2Y 1E6

Ph: 514-396-0009 or Toll Free: 1-866-396-0074;

Fax: 514-396-6585

Email: admin@dawncanada.net

BC Representative: Barbara Burdick

Email: lyaneadventure07@gmail.com

Disability Weblinks

www.disabilityweblinks.ca/

Enablelink

www.enablelink.org/

Council of Canadians with Disabilities (CCD)

The CCD advocates at the federal level to improve the lives of men and women with disabilities in Canada, by eliminating inequality and discrimination.

www.ccdonline.ca/

926-294 Portage Avenue

Winnipeg, MB R3C 0B9

Ph: 204-947-0303; TTY: 204-943-4757

E-mail: ccd@ccdonline.ca

ADVOCACY RESOURCES

ARCH: A Legal Resource Center for Persons with Disabilities

www.arch-online.org

An Ontario-based legal clinic and legal resource centre.
425 Bloor Street East, Suite 110
Toronto, ON M4W 3R5
Ph: 416-482-8255; Fax: 416-482-2981;
TTY: 416-482-1254

BC Association for Community Living (BCACL)

www.bcacl.org

BCACL focuses on the rights of adults and children who have a developmental disability.
227 6th Street
New Westminster, BC V3L 3A5
Ph: 604-777-9100; Fax: 604-777-9394
Email: info@bcacl.org

BC Centre for Elder Advocacy and Support (BC CEAS)

www.bcecas.ca/

BC CEAS focuses on the prevention and elimination of elder abuse by providing a telephone hotline that provides information and referrals and a legal clinic that offers legal advice, advocacy and full legal representation, information, advocacy and resources.
411 Dunsmuir Street
Vancouver, BC V6B 1X4
Ph: 604-437-1940 or Toll Free: 1-866-437-1940;
Ph: 604-688-1927 (administration)
Fax: 604-437-1929
Email: ceas@telus.net

The People's Law School

The People's Law School is a non-profit Society whose purpose is to provide British Columbians with reliable information about their rights and responsibilities under the law.



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This booklet and others are available under Publications on the People's Law School website:
www.publiclegaled.bc.ca

You should not rely on this booklet for legal advice. It provides general information only.

Public Guardian and Trustee of British Columbia

www.trustee.bc.ca

The Public Guardian and Trustee of BC can consult in situations of adult abuse/neglect and in some cases take action in situations of financial abuse when there is a reason to believe an adult may not be mentally capable and his or her assets are at risk.
#700-808 West Hastings Street
Vancouver, BC V6C 3L3
Ph: 604-660-4444; Fax: 604-660-0374
E-mail: mail@trustee.bc.ca

Shelternet

www.shelternet.ca

An online Canada-wide resource to help abused women and children find shelter, safety, and information about their options.

Re:Act

<http://www.vchreact.ca/index.htm>

An online resource and staff training and consultation program established by Vancouver Coastal Health (VCH) to ensure VCH healthcare providers are aware of and understand their obligations to identify, investigate, and report abuse, neglect and self-neglect of adults. Includes information for those providing health services to Aboriginal populations.

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