

CHEAT PREY SHOVE

The elderly have long been prime targets for abuse, but they're increasingly at the mercy of new scams and family members who see nothing wrong with what they're doing. **by SALLY BLUNDELL**

The young woman was helpful. Seeing Johnny*, an elderly stroke victim, struggling with his supermarket shopping, she offered to carry his bags to his home. She was chatty, he was lonely. Over the following weeks, then months, she befriended him, eventually emptying his meagre bank account of \$5000.

"He was a desperately lonely man and she had been targeting older men since she was 14," says Canterbury police constable Sara McLauchlan. "Over months, she'd get to the point where she got access to their bank accounts."

Norah*, 86, gave her Eftpos card to her daughter-in-law to take to the supermarket to do her grocery shopping. As well as the items on her shopping list, her daughter-in-law threw in a cooked chicken and a tub of ice cream. For her, for the kids.

"That's out and out theft," says Age Concern Canterbury chief executive Simon Templeton. "Yet people justify it by saying, 'I am putting myself out for her.'"

A man on the doorstep with a truckful of gardening tools. Elaine*, 79, was thrilled. The maple was blocking the sun, the top needed lopping by about half a metre. A price was agreed – \$75 – but when the job was done, he demanded three times that amount. When Elaine said she did not have that kind of cash – and cash had been agreed on – he drove her to the closest ATM machine and waited while she withdrew the money.

Intimidating? Certainly. Elder abuse? According to the World Health Organisation, 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".

"Obviously, with a family member there is an expectation of trust," says Age Concern chief executive Robyn Scott. "But even with someone knocking on your door saying your tree needs cutting down, you could argue there was an expectation of trust there."

For some of the country's most frail and physically and financially dependent, that trust is being betrayed on a regular basis. Research by the New Zealand Longitudinal Study of Ageing (NZLSA) shows that around one in 10 older New Zealanders have suffered some form of abuse or neglect. Each year, Age Concern, responsible for 21 of the

government's 29 elder abuse and neglect prevention services around the country, receives more than 2000 referrals for older people suffering some form of abuse. According to a recent Ministry of Justice discussion paper released under the proposed review of the Domestic Violence Act, an estimated 17,500 cases of elder abuse and neglect will occur in New Zealand each year.

Such abuse can be physical (including over-medication and the inappropriate use of restraints or confinement), psychological (including threatening, humiliating and bullying behaviour), sexual and financial. It also includes neglect and self-neglect.

Often, says Scott, it is the result of a constellation of social isolation, depression, poor health and simply old age – half the victims seen by Age Concern are over 80. Other markers for potential abuse include financial or physical dependence, trans-generational

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family violence and pre-existing levels of depression and loneliness. As the NZLSA report states, elder abuse "further marginalises people who are already marginalised".

And in three-quarters of all cases, the perpetrators are family members, most commonly adult children.

In some instances, the intention is well-meaning, with concerned families making decisions for, rather than with, their elderly parents or grandparents, ranging from what they eat to how they spend their money and even when to sell their home.

A common example, says Charles Waldegrave, leader of the Family Centre Social Policy Research Unit in Lower Hutt, is when an elderly parent, usually a widowed mother, has a fall and the family insists she move to a rest home. "So the whole emphasis is on physical care, not self-determination. But there are all sorts of ways for people to protect themselves in their homes, and that way they maintain their social connections, which are very important to their feelings of self-worth."

Cognitive impairment aside, says

Templeton, there are no grounds to override the decisions or choices of an older person. "My favourite phrase is 'dignity with risk', about an older person being allowed to make their own choices even if that carries risk, but that is where a lot of families struggle."

A MORE DISTURBING BELIEF

Behind much financial abuse, however, is the more disturbing belief that money held by the older person should by rights be passed on to help feed grandchildren, help children or grandchildren get on to the property ladder, be invested in a new or struggling family business or even "pay" for care and support, or that the family home should be put up as security for a loan.

"Whether Mum wants to or not, she is put into this guilt position that she has to," says Waldegrave.

He describes cases of children selling the family home while their mother is in hospital. In another example, a couple withdrew \$3000 from a parent's bank account to cover petrol costs for visiting her in hospital.

In some cases, people justify their behaviour on the grounds that because family members will inherit an asset eventually, they may as well get the benefit sooner rather than later.

But old age is expensive, says Templeton. "You need quality health care, hearing aids, good heating. You don't want to be poor when you are really old, and older people are entitled to make their own decisions about how they spend their money."

Even if that does affect a future inheritance. Southland Community Law Centre manager Denise Lormans describes an elderly man who visited a prostitute on a regular basis. "The family were horrified: 'How dare he? He can't do that with our inheritance!' But it was his money, he was competent to manage his affairs and it was none of their business."

AN INSIDIOUS VEIL OF SHAME AND FEAR

Elder abuse – be it physical or verbal abuse, theft, coercion, grooming, bullying or abandonment – takes a heavy toll: loss of independence, homes, savings, dignity and security. US research shows that elder abuse affects physical and mental well-being. It increases the likelihood of loneliness and depression and corrodes an older person's self-esteem.

"I see it all the time," says Templeton. "I hear comments like 'I just do what I'm told now' or 'I let others decide for me'."



But, like domestic violence 30-40 years ago, elder abuse tends to remain behind an insidious veil of shame and fear – hence the pseudonymic asterisks in this article. It is estimated that only 16% of all abuse incidents come to the attention of service agencies. In Kapiti, says Age Concern elder abuse and neglect prevention worker Tristine Tilly, only 2% of elder abuse cases are reported by the victims – the rest are brought to their attention by friends, neighbours, even tradespeople.

Sometimes, says Scott, victims justify the behaviour, saying they knew the theft was happening but he/she/they “need the

money more than me”.

“And sometimes they blame themselves for the abuse – they say, ‘I shouldn’t have been so silly, I should have known this would happen.’” Others keep silent out of fear the abuse will get worse or that they will be cut off from family.

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Age Concern chief executive Robyn Scott: Sometimes victims justify the abuse – “they need the money more than me”.

“And the abuser may be the only family member they have,” says Lormans. “When you are old, family is very, very important, and it is difficult for people of any generation to admit your own children are horrible and that people you trusted can’t be trusted.”

REST HOME PROBLEMS

Elder abuse in rest homes is equally difficult to gauge. A Consumer NZ survey last

Safe rather than sorry

- Do not give out bank account details unless the business is established and trusted.
- Never accept money into your account for subsequent transfer.
- Never give out your password for internet banking.
- Never give your PIN number to anyone.
- Check your accounts regularly to ensure money is going to the right places.
- Report any likely scams to your bank and NetSafe's The Orb (www.theorb.org.nz) or Consumer NZ.
- Keep debit and credit cards in a safe place.
- Make sure accounts with large sums of money can't be accessed by ATM cards.
- Don't open emails from people you don't know.
- If anyone knocks on your door claiming to be sent by a company, always ask for ID.
- If in doubt, ring the company to confirm the person is legitimate.
- If someone suspicious comes to your home, call the police.

Banks will never:

- ask you to authorise the transfer of money to a new account;
- ask for your PIN or password in full on the phone or via email;
- send someone to your home to collect cash or bank cards;
- ask you to send personal or banking information via email or text;
- send an email with a link to a page that asks you to enter your online banking log-in details;
- ask you to carry out a test transaction online; or
- provide banking services through any mobile apps other than the bank's official one.

year found that of 123 rest homes audited, only 14 were fully compliant with the 50 standards relevant to aged residential care under the 2008 Health and Disability Services standards.

Shortfalls included an elderly male resident being strapped to a chair because the facility was short-staffed, residents leaving the home without staff knowledge, time frames for GP assessments not being consistently adhered to and menu plans not being followed – in one instance food was left on a trolley for three hours before being served.

The auditing process itself does not rely on cold-calling. Even unannounced spot audits, or surveillance audits, are carried out at a predictable point halfway through the certification period (unannounced inspections kick in only when the district health board has had a complaint). So there are concerns that "the audit process isn't picking up problems", says Consumer NZ researcher Jessica Wilson.

In the year to June 2014, the Health and Disability Commissioner received 100 complaints about rest homes, slightly fewer than in the previous two years, but such complaints take time and may not result in a prompt outcome.

Invariably blame is directed at poor management and inadequate staffing levels, lack of qualified staff, and poor pay and working conditions for care workers.

"Lifting people, dealing with people's toileting – these are really tough jobs," says Waldegrave, "and they are paid very little, so you set up a perfect potpourri for the worker to get frustrated and angry and that can sometimes lead to physical abuse or yelling or neglect. That doesn't happen in all institutions – some are really good – but we have to start paying carers a lot more."

Simon Wallace of the NZ Aged Care Association, representing 80% of the country's 670 registered rest homes, says its members have to meet minimum standards of care set out in their service contracts with district health boards.

"In any industry there

will be bad apples and those are the ones that are highlighted [in the media], but we hear very few cases of elder abuse. The vast majority of our staff are highly committed and dedicated to their job. It is a low-paid job, but they do it because they enjoy interactions with older people – if they didn't enjoy it they would probably go into a better-paid job. Doesn't that tell a story?"

LAW AND THE JUNGLE

Many aspects of elder abuse are covered by the law. Bashings, beatings, theft and fraud all fall under the Crimes Act. Under recent changes to the Act, caregivers in homes and institutions are required to provide a standard of care for vulnerable adults.

The Protection of Personal and Prop-

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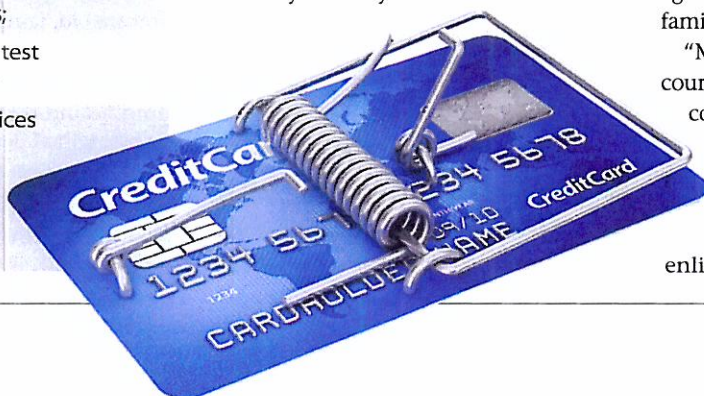
erty Rights Act, or 3PR, sets out the law for enduring power of attorney (EPA). Recent changes to this Act require people to seek independent legal advice before making an EPA, "but if you have an attorney who is a family member with a propensity to be devious," says Lormans, "they will abuse it anyway unless you keep an eye on it or have a secondary person to keep an eye on it".

Nor, she says, is it up to family members to say, "Grandma is cracked and can't manage her affairs any more." "If you are to be deemed incompetent to manage your own affairs, it has to be through a qualified medical practitioner."

Under the Domestic Violence Act, currently under review, older people at risk of abuse from family members can apply for a protection order. But again, it takes courage to lay a complaint, particularly against family.

"Most [cases] would be successful in court," says Lormans, "but it is getting the courage to lay the initial complaint and follow that through and not withdraw. We see [complaints withdrawn] so much, it makes me spitting angry."

The US, Israel and South Africa have enlisted mandatory reporting of elder





abuse, but critics here fear this would only push such cases further underground. More important, says Waldegrave, is "mandatory investigation".

In many cases Age Concern will work with other agencies to stop the abuse and protect the victim. In rare cases, people need to be moved out of an unsafe environment completely.

Tilly describes a "very vulnerable" man living in an overcrowded boarding house alongside more hardened and unstable residents. "It was an incredibly volatile environment. He had a black eye, bruising. He was bullied to hand over money and

clothing. His meals were toast for breakfast, nothing for lunch and something small for dinner. His health was rapidly deteriorating. He was only 65 but he looked in his eighties."

An elderly man regularly visited a prostitute. "The family were horrified: 'How dare he? He can't do that with our inheritance! But it was his money.'"

Age Concern Canterbury chief executive Simon Templeton: "My favourite phrase is 'dignity with risk'."

With the help of a local GP, Age Concern managed to get him into residential care. "He is happy. He is putting on weight, he has his own bedroom, he's clean."

More often, says Templeton, the older person just needs validation that what they are experiencing is not okay.

"We saw one older man who allowed his son and family to move in with him after the earthquake. Over time, he was moved out to the sleepout. The grandkids wouldn't

MARTIN HUNTER, GETTY IMAGES

Scam, bam, thank you, ma'am

Targeting the elderly is not new, but the ways people are doing it are.

It can happen to anyone. "Microsoft" rings to ask for your details because you have "a virus". An email arrives saying you have "an inheritance" from a dead relative in England. A text asks you to confirm your banking details. A young man offers to clean your windows – again.

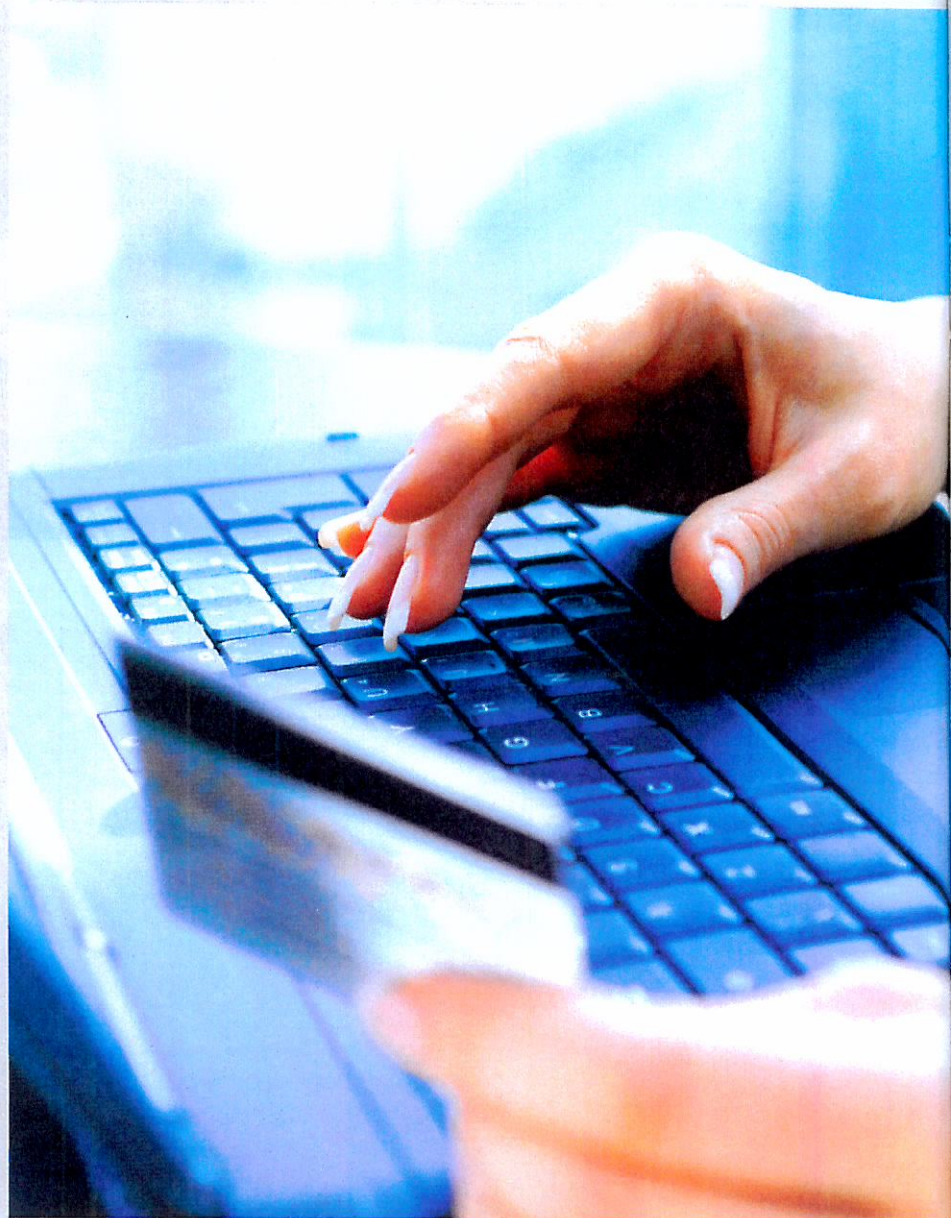
"People are deliberately targeting the elderly," says Sergeant Todd Webley from Canterbury's Neighbourhood Policing Team. "They build a relationship of trust. Once they have got that trust they have an 'in', whereby they are invited into the house and take things or ask for money. In some cases the elderly are passing over Eftpos cards and pin numbers."

The risk factors are obvious: physical frailty, social isolation, access to funds and simple good manners.

"A lot of older people were brought up

"They stay in contact [with their targets] for weeks, months, before coming up with a very plausible reason why they should send them some money."

to think it's rude to shut the door in someone's face," says Age Concern Canterbury chief executive Simon Templeton. "And sometimes if you are old and lonely, it's lovely to have a nice salesman come in and spend two hours talking to you. But once the foot is in the door, these salespeople are very good at closing the sale."



Together, says Banking Ombudsman Nicola Sladden, these risk factors make for a "perfect storm for exploitation".

Last year, Consumer NZ launched the Do Not Knock sticker campaign to deter scamsters and salespeople from cold-calling at homes, especially those of vulnerable – poor and/or elderly – people. Already some 450,000 stickers have been distributed.

As Consumer NZ chief executive Sue Chetwin says, "It is extra protection for vulnerable people, particularly older people, to point to that sticker and say, 'Get off my property.'"

Scams are not new. But whereas in the past someone might befriend an isolated elderly person, eventually

working to arrange a will to be changed in their favour, Sladden says we are now being exposed to a whole new area of scamming because of advances in technology.

Already this year, an Invercargill woman in her eighties was cleaned out of \$25,000 after receiving a call claiming to be from Chorus and Spark asking her to download software and enter in bank account details. A woman was sentenced to four months' home detention for taking nearly \$7000 from the account of a disabled Whanganui man she had befriended over six years.

Romance scams are particularly pernicious, playing on an older person's isolation and generosity. In 2014, New Zealanders lost \$1.56 million to online



NetSafe's Lee Chisholm: It's hard to gauge the scale of the problem, as many people are too embarrassed to report losses.

dating scams out of a total \$7.9 million loss to online scams and fraud.

"And there would be many more," says NetSafe operations manager Lee Chisholm, "who would be too embarrassed to report to us."

Such scammers, she says, are patient. "They stay in contact [with their targets] for weeks, months, before coming up with a very plausible reason why they should send them some money."

A sick child, an overdue rent payment, an air ticket to New Zealand to marry – "and they will keep asking for as long as they can".

But there are limits to what a bank

can do. Under the Privacy Act, banks have a duty of confidentiality to the customer. Bank staff are trained to watch out for signs of possible financial abuse: an elderly person suddenly withdrawing money accompanied by someone else, large sums going out of usually low accounts, large internet transfers to offshore accounts, even regular small transactions. But as New Zealand Bankers' Association chief executive Kirk Hope says, all a bank can do is approach the customer and say, "Are you okay?"

"It is an incredibly difficult area. You can ask questions, but ultimately it is a person's decision to give the money."

talk to him; they kicked balls in his garden when he told them not to. He asked, 'Is it even an issue?' I was happy to validate that it was. If you tell people not to kick balls in your garden, they damned well don't kick balls in your garden."

THE BULGE OF BOOMERS

We're an ageing population. By 2035, the number of people aged 65 or over is expected to almost double to 1.2 million, including a 130% increase in people aged 80 and over.

Templeton says the demographic bulge of baby boomers about to hit retirement will be "stropky as hell", but further services will be needed. Many will be mortgage-free, many will have access to their KiwiSaver or other retirement fund and many will

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be requiring more community-based and mobile services to remain in their homes.

But a disturbing lack of cognisance of the needs and attributes of the old remains.

"What we want is a more inclusive, safer environment and community," says the principal adviser for the Social Policy Research and Evaluation Unit (formerly the Families Commission), Radha Balakrishnan.

Balakrishnan advocates raising the visibility of the elderly, combatting isolation though stronger social connections and addressing ageist attitudes that put the needs of the carer, and maybe also the family member, before those of an older person, "simply because they are in their prime".

Templeton points to society's relentless attention to youth and youthfulness: promotional material for retirement villages featuring lively 65-year-olds; violence and alcohol campaigns that zero in on younger people (alcohol abuse is a major issue for the elderly); the relentless war against grey hair and wrinkles.

Older people tend to be invisible, he says, "and if you are invisible, your needs are invisible and the risks associated with that are invisible". ■