



05-22 Elder and Vulnerable Adult Abuse

Status: Amended

Issued: 2021.12.08

Replaces: 2020.01.03

Rationale

Abuse of the elderly is a growing concern to the Toronto Police Service (Service) due to an increasing senior population and their reliance on caregivers to maintain their independence. Vulnerable adults are also a target for abuse due to an increasing trend encouraging independent community living. The elderly and vulnerable adults hesitate to report their victimization for a variety of reasons. In conjunction with the community agencies who serve the elderly and vulnerable adults, the Service is working to encourage the reporting of abuse and to ensure that all complaints are fully investigated in a timely manner.

This Procedure sets out the best practices of the Service for handling complaints of abuse of the elderly and vulnerable adults.

Supervision

- Supervisory Officer attendance mandatory at scene of a complaint of abuse of an elderly or vulnerable adult
- Officer in Charge (in the absence of a supervisory officer) notification mandatory at scene of a complaint of abuse of an elderly or vulnerable adult

Procedure

It is the goal of the Service to

- reduce the incidence of abuse of elderly and vulnerable adults through education and enforcement
- investigate all occurrences thoroughly and to bring offenders to justice wherever possible
- ensure the safety of victims through prompt action including referrals to other community partners

Investigating allegations of abuse of elderly and vulnerable adults may require accommodation for the special needs of the victims. Officers shall ensure consideration is given to these needs in completing a thorough investigation. Officers should be alert to the possibility of victims who may have special communications needs and, where necessary, should seek assistance from the appropriate community resources through Communications Services.

All complaints of abuse of an elderly or vulnerable adult shall be attended in person by a police officer. This includes those at retirement homes, long-term care homes, residential care facilities or any other institutional settings. An occurrence report shall be submitted for each police response to a complaint of abuse of an elderly or vulnerable adult.

Police Officer

1. Upon receiving a complaint of abuse of an elderly or vulnerable adult shall
 - attend the scene promptly
 - ensure the safety of all persons at the scene
 - conduct a thorough investigation
 - request the attendance of a supervisory officer or, in the absence of a supervisory officer, advise the Officer in Charge of the circumstances
 - interview all parties separately
 - when unable to communicate with a person, attempt to determine whether the person's inability to speak is due to a medical problem
 - in the event of a medical emergency comply with Procedure 10-06
 - comply with Procedure 04-09 if the person speaks a language other than English, or requires a sign interpreter
 - arrange to have the victim's injuries and/or property photographed
 - consult with the divisional detective office to determine the suitability of receiving the victim's statement as an electronically recorded statement, in compliance with Procedure 04-32
 - record all statements and have the victim review and sign the statement, where possible
 - collect all pertinent evidence in compliance with Procedure 04-21
 - ensure the victim is offered the services of Victim Services Toronto in compliance with Procedure 04-31
 - ➔ *Victim Services Toronto is able to provide access to a variety of community resources including the Advocacy Centre for the Elderly, a community based legal clinic for low income senior citizens.*
 - make every effort to meet any special needs of the victim, particularly when the offender is the sole caregiver
 - arrange for or provide transportation of the victim to a shelter, long-term care facility, home for the aged or a safe place as appropriate
 - contact The Office of the Public Guardian and Trustee, if it is believed that the victim is incapable and/or at substantial risk of financial or physical injury
 - consider the need for home support services and make a referral to the Toronto Senior's
2. Where reasonable grounds exist relative to a charge shall
 - arrest and/or charge the suspect in compliance with the applicable procedures in Chapter 1
 - ensure suitable arrangements are made for care of the victim
3. Where reasonable grounds exist relative to a charge, and the suspect has left the scene shall
 - conduct a search of the immediate area

- [REDACTED]
 - notify the divisional investigative office and obtain further instructions from a divisional detective
 - complete the applicable eReport
 - complete the applicable MO Detail page if bodily harm has occurred
 - complete a TPS 107 for incidents involving domestic violence
4. Where reasonable grounds do not exist relative to a charge shall
 - make reasonable efforts to ensure the safety of the victim
 - complete the applicable eReport, including reasons for not laying charges and advise the complainant the report will be filed
 - complete a TPS 710 in compliance with Procedure 06-04, where appropriate
 - advise the complainant of the option of attending the office of the Justice of the Peace for the purpose of swearing a private information
 - advise the victim of additional options (e.g. Recognizance to Keep the Peace, Restraining Order, Exclusive Possession Order)
 - advise the victim of other options (e.g. legal help through the Advocacy Centre for the Elderly, or assistance through The Office of the Public Guardian and Trustee)
 - provide the eReport number to the divisional community relations officer
 5. Where there are safety concerns for officers attending the scene in the future shall consider submitting a Special Address record in compliance with Procedure 17-08.

Supervisory Officer

6. Whenever possible, shall attend all calls to complaints of abuse of an elderly or vulnerable adult and provide guidance and assistance during the course of the investigation.
7. Ensure the safety of the victim and that they have been offered the services of Victim Services Toronto in compliance with Procedure 04-31.
8. Ensure a thorough investigation is conducted and notify the Officer in Charge.
9. Record their attendance or reason for non-attendance in their memorandum book and the original eReport.
10. Ensure the applicable eReports are completed, including the MO detail page, if applicable.

Case Manager

11. When assigned a case involving abuse of an elderly or vulnerable adult shall
 - wherever possible, obtain an electronically recorded statement from the victim in compliance with Procedures 04-32 and 12-08
 - ➔ *The Crown and the Victim Witness Assistance Program at the court location should be advised of any known medical, physical or mental conditions of the victim so appropriate arrangements can be made for any required court appearances.*

- [REDACTED]

- consider opposing bail or the use of bail conditions to ensure the safety of the victim in compliance with the applicable procedures in Chapter 1
- consider highlighting ss. 718.2(a) *Criminal Code* (aggravating circumstances) in the confidential crown envelope (e.g. blind victim, Alzheimer’s patient, dementia or special circumstances) so the Crown may consider seeking stiffer sentencing upon conviction
- encourage the victim to complete a Victim Impact Statement at the appropriate stage of the court process
- whenever possible, ensure the victim is notified of any known court dates with a follow-up call on the day prior to the court appearance
- consider use of the Special Interest Persons category on CPIC for victims who are believed to be at risk of additional abuse

Officer in Charge

12. Where there are safety concerns for officers attending the scene in the future shall ensure compliance with Procedure 17–08.
13. Before considering release shall ensure
 - [REDACTED]
 - [REDACTED]

Appendices

Appendix A – Elder and Vulnerable Adult Abuse Investigations – Contact Information

Supplementary Information

Governing Authorities

Federal: Criminal Code

Provincial: Long-Term Care Homes Act; Mental Health Act; Police Services Act; Substitute Decisions Act

Associated Governance

TPSB Policies: TPSB LE-021 Elder and Vulnerable Adult Abuse; TPSB VA-001 Victim Assistance.

TPS Procedures:

- Chapter 1 Arrest & Release;
- 04–09 American Sign Language and Language Interpreters;
- 04–21 Gathering/Preserving Evidence;
- 04–31 Victim Services Toronto;
- 04–32 Electronically Recorded Statements;

- Chapter 5, Appendix A Excerpt from Guideline LE-029 – Preventing or Responding to Occurrences Involving Firearms;
- 05–04 Domestic Violence;
- 05–21 Firearms;
- 06–04 Persons In Crisis;
- 10–06 Medical Emergencies;
- 12–08 Disclosure, Duplication and Transcription;
- 17–08 Use of Special Address System.

Forms: eReports; TPS 107 Domestic Violence Risk Management (DVRM) Report; TPS 228 Special Address System Report; TPS 710 Person In Crisis Information Form

➔ *The TPS 107 and TPS 710 are available as text templates.*

Definitions

For the purposes of this Procedure, the following definitions will apply:

Elder and Vulnerable Adult Abuse means any action, or inaction, that harms or threatens to harm the health or well-being of an elderly person or vulnerable adult by a person in a position of trust or authority. This includes physical/sexual abuse, psychological abuse, financial abuse, neglect or any combination thereof.

Elderly for the purposes of Procedure 05–22 means a person over the age of 65.

Harm means physical abuse (includes sexual abuse), psychological abuse, financial abuse, neglect or any combination thereof.

Incapable means a person unable to independently manage their day-to-day affairs due to cognitive impairment, thus making them vulnerable to abuse.

Vulnerable Adult means any adult who by nature of a physical, emotional or psychological condition is dependent on other persons for care and assistance in day-to-day living.

We are dedicated to delivering police services, in partnership with our communities, to keep Toronto the best and safest place to be.

Learn more about our **Service Core Values and Competencies** [here](#)

