



HAMILTON POLICE SERVICES BOARD

NOTICE OF MEETING PUBLIC AGENDA

Thursday, April 21, 2016
2:00 o'clock p.m.
Hamilton City Hall
Council Chambers

Lois Morin
Administrator

AGENDA

1. CALL TO ORDER

- 1.1 Changes to the Agenda

2. PRESENTATIONS & DEPUTATIONS

- 2.1 Members of the Month
- 2.2 ProAction Cops & Kids
- 2.3 Year-End Report: Crimes Against Seniors Unit – 2015 (CASU) (PSB 16-048)
- 2.4 Police Regulation 58/16 – “Collection of Identifying Information in Certain Circumstances – Prohibition and Duties”

3. GENERAL

- 3.1 Declarations of Interest

4. CONSENT AGENDA

4.1 Approval of Consent Items

That the Board approve and receive the consent items as distributed.

4.2 Adoption of Minutes – March 31, 2016

The minutes of the meeting held Thursday, March 31, 2016, be adopted as printed.

4.3 Hamilton Police Service Monthly Report (PSB 16-058)

That the Board direct the Administrator of the Board to refer this report, in its entirety, to the City of Hamilton, for information.

4.4 For the Information of the Board:

- a) Year-End Report: Hamilton Police Service- McMaster University Partnership – 2015 (PSB 16-052)
- b) Year-End Report: Crime Prevention Branch / Volunteer / Auxiliary Unit – 2015 (PSB 16-056)
- c) Year-End Report: Hate Crime – 2015 (PSB 16-059)
- d) Correspondence from Karen Smith, Executive Director, Thrive Child and Youth Trauma Services with respect to the Ontario Government's Strategy for a Safer Ontario.
- e) Outstanding Issues as of April 21, 2016

5. DISCUSSION AGENDA

5.1 Lease Amendment and Renewal: 7 Innovation Drive, Flamborough (PSB 11-112b; see also PSB 11-112 and PSB11-112a)

- a) That the Hamilton Police Services Board approve the renewal of the Lease Agreement between the City of Hamilton - Police (Tenant) and City of Hamilton (Landlord), for the purposes of providing a location for the HPS to provide office space located at 7 Innovation Drive, Flamborough, Suite 235 for patrol officers working in Flamborough;
- b) That the Hamilton Police Services Board request that the Mayor and the City Clerk, of the City of Hamilton, execute a Lease Agreement renewal between the City of Hamilton - Police (Tenant) and City of Hamilton (Landlord) in a form satisfactory to the City of Hamilton Legal Services, for the premises located at 7 Innovation Drive, Flamborough, Suite 235; and
- c) That the previous Lease Agreement be amended to exclude Suite 240.

Area: Approximately 278 square feet of space for use as a Patrol Officers' report writing and lunch office.

Term: A period commencing on April 1, 2016 and expiring March 31, 2017 with four (4) one-year options to renew.

Rental Rate: \$3,156.00 per annum plus H.S.T. and utilities. The payments will be made from Account #55358-376614.

5.2 Lease Renewal Parking at 5Star Fitness: 1215 Stone Church Road East, Hamilton (PSB 16-061)

- a) That the Hamilton Police Services Board approve the renewal of the Lease Agreement between the City of Hamilton (Tenant) and 1738900 Ontario Inc. operating as 5Star Fitness (Landlord), for the purposes of providing 30 parking spaces for HPS staff assigned to the Multi Agency Training Facility (MATA).
- b) That the Hamilton Police Services Board request that the Mayor and the City Clerk, of the City of Hamilton, execute a Lease Agreement renewal between the City of Hamilton (Tenant) and 1738900 Ontario Inc. operating as 5Star Fitness (Landlord) in a form satisfactory to the City of Hamilton Legal Services, for the continued rent of 30 parking spaces;

Term: A period commencing on September 1, 2016 and
expiring August 31, 2021.

Rental Rate: \$9,000.00 per annum calculated at \$750.00 per month plus
H.S.T. The payments will be made from Account #56510-
376622.

5.3 Adoption of City of Hamilton Procurement Policy (PSB 12-115b)

- a) That the Board approve the adoption of the City of Hamilton Procurement Policy By-law 16-070, approved by City Council on March 9, 2016, for the Hamilton Police Service.
- b) That the Board approve the amendments to the City of Hamilton Procurement Policy as listed below.

5.4 The Power of Our Voices Project and Funding Agreement through the Department of Justice Canada Victims Fund (PSB 16-062)

- a) That the Board approve the acceptance of a Grant in the amount of \$4,700.00 from the Department of Justice Canada Victims Fund to provide for the "Power of Our Voices" Project, facilitated by the Hamilton Police Service Victim Services Branch.
- b) That the Chair of the Board be authorized and directed to enter into said Grant, in a form satisfactory to Legal Counsel to the Hamilton Police Service.

6. NEW BUSINESS

7. ADJOURNMENT

<p>THE POLICE SERVICES BOARD WILL ADJOURN THE PUBLIC PORTION OF THE MEETING AND RECONVENE IN CAMERA FOR CONSIDERATION OF PRIVATE AND CONFIDENTIAL MATTERS.</p>

HAMILTON POLICE SERVICES BOARD
- INFORMATION-

DATE: 2016 April 21
REPORT TO: Chair and Members
Hamilton Police Services Board
FROM: Ken Weatherill
Acting Chief of Police
SUBJECT: *Year-End Report: Crimes Against Seniors Unit (CASU) - 2015*
(PSB 16-048)

BACKGROUND:

The Hamilton Police Service recognized that a specialized unit was required to address various seniors' issues, within the city of Hamilton. In March 2004, the *Crimes Against Seniors Unit (CASU)* was formed, which consisted of two (2) Detectives working in the Victims of Crime Branch. The CASU was the first fulltime investigative unit of its kind in Ontario. This Unit, along with our Divisional Senior Support Officers (SSO's), work together to provide education, assistance and enforcement to senior abuse issues. In 2016, the Unit will expand by one (1) investigator (Detective Constable) as approved as part of the 2016 staffing increase for the CASU.

The CASU is responsible for the investigation of crimes against persons 60 years of age or older or vulnerable adults, who are being victimized primarily because of their age or vulnerability.

The CASU works closely with community agencies to ensure that all reported cases of assault, financial exploitation and neglect against the elderly are properly investigated. The majority of investigations are complex and time consuming.

There are seniors in our community who are victims of various types of abuse. Police officers play an important role in the response to senior abuse. Officers have an extremely challenging role in these cases. In addition to prevention and effective intervention, police must have knowledge of family dynamics. Our investigators are aware of the different forms of abuse, neglect, and financial exploitation and are able to identify overt and subtle signs of abuse; know what actions are required under provincial and federal laws; and are familiar with the network of social and age related services that support senior abuse victims.

In 2015, CASU delivered 26 presentations, while the SSO's delivered 77 presentations to seniors and those who are involved with seniors in the community on a variety of topics. The CASU and SSO's were assigned a total of 555 cases for investigation in 2015. These investigations led to ten (10) arrests and 29 criminal charges being laid in relation to crimes against seniors.

Our Crimes Against Seniors Unit has become a leader in Ontario policing. The best practices developed by the Unit have been adopted by other police services that have formed a similar unit. We are often sought out by other police services and various organizations for advice and consultation.



Ken Weatherill
Acting Chief of Police

KW/D. Kinsella

Attachment: *Hamilton Police Service 2015 Responding to Seniors' Issues*

cc: Eric Girt, Deputy Chief, Community Policing



Hamilton Police Service

2015

Responding to Senior's Issues

**Submitted by: Detectives Terri-Lynn Collings and Mike Page
Crimes Against Seniors Unit
March 2016**

The Hamilton Police Service, the Hamilton Police Crimes Against Seniors Unit and the Divisional Seniors' Support Officers continue to be at the leading edge of the response to senior abuse.

World Health Organization

"Elder abuse can be defined as "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". Elder abuse can take various forms such as physical, psychological or emotional, sexual and financial abuse. It can also be the result of intentional or unintentional neglect."

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Executive Summary

Police officers play an important and challenging role in the response to senior abuse. In addition to prevention and effective intervention, police must not only have some knowledge of family dynamics, they must be aware of the different forms of abuse, neglect, and financial exploitation. Officers must be able to identify overt and subtle signs of abuse and know what actions are required under provincial legislation and federal laws. The police must also be familiar with the network of social and aging services that support senior abuse victims.

The abuse of seniors remains a hidden social problem and is thought to be largely under-reported. Factors associated with non-disclosure¹ have been widely documented within the research literature. Studies have identified that those being abused may be unwilling or unable to report it due to cognitive impairment, physical frailty, literacy, language or cultural barriers, isolation, dependence, and fear of retaliation, institutionalization, deportation, abandonment, outside intervention or that their standard of living will decrease. Individuals who witness or suspect that an older adult is being abused may not report it because they are unaware of or do not understand their responsibility to report the abuse. The current lack of knowledge about the signs and symptoms of abuse or may not recognize that the behaviour constitutes abuse.

Certain social barriers may exist for seniors and particular populations may be at increased risk of abuse or neglect because of language or cultural barriers. They may have more difficulty accessing services, be hesitant to report the abuse or are unable to recognize the behaviour as abusive. From a cultural perspective, Mizuho (2006) and Oh et al (2004)¹ argue that senior abuse in family situations is more difficult to identify and research due to traditional beliefs of familial privacy, lack of financial independence, mistaken causes of abuse, and lack of understanding of the abuse.

The collaboration between regulatory and social service agencies, incorporating a cross-dimensional, multi-disciplinary, community-oriented approach is paramount in combatting and preventing senior abuse. This cooperative approach, which combines policing and social work/community resources, is an effective method in addressing increasing demands on the police service. Benefits to victims and seniors of multi-disciplinary teams include enhanced autonomy and choice, improved access to local services

¹ Community Mobilization Empowering Seniors Against Victimization, Pages 3 & 9; Public Safety Canada. Written by Selina Lai, M.A. – The United Senior Citizens of Ontario, 2008.

and support, continuity of care, and reduced injury or loss by increasing the likelihood that victims will receive the help or care they need.

History

Adequacy Standards 2000

Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on elder abuse and vulnerable adult abuse. In addition, section 12(1) (f) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into elder abuse and vulnerable adult abuse².

For the purposes of this guideline police services may wish to consider the following definition of elder abuse that is being used by the Ontario Seniors' Secretariat:

"Any act that harms or threatens to harm the health or well-being of an older adult. Forms of abuse include psychological, financial and physical abuse, as well as neglect and sexual assault."

In accordance with this, the Hamilton Police Service developed Policy & Procedure including the definition of a Senior as a person of 60 years of age or older.

Policy & Procedure

In early 2012, a comprehensive review of the Policy and Procedure pertaining to seniors and vulnerable adult abuse was undertaken. The organizational structure, information sharing, reporting processes and workflow as both our technologies and records management systems have progressed and improved the flow of information. There has not been any changes to the Policy since it was updated in 2012.

Seniors' Support Officers (SSO)

A pilot project was undertaken in 1996 that saw the development of the Seniors' Support Officer position. In its infancy the SSO position was primarily an educational, proactive role. The issues relating to seniors were explored and community relationships were developed. Recognizing the need to address the issue of abuse of seniors, the position progressed into a full time position for all three

² Quoted from The Adequacy Standards 2000 manual

divisions. Adequacy Standards (2000) with accompanying Policy within the police service further defined their roles.

These positions allowed officers to focus on seniors' issues, coordinate the flow of relevant information, preventative education in the community and assist in connecting elderly victims to resources in the community. They represent a visible frontline presence serving the seniors in our community.

Seniors' Support Officer Mandate:

The Seniors' Support Officer deals with issues, concerns and challenges that affect the seniors' community with respect to the law by:

- Cooperation - With community services / agencies to address seniors' quality of life concerns
- Education - Developing, delivering and implementing programs on seniors' safety and security
- Investigation - Assisting in the investigations of abuse and neglect of older persons.

In 2015, Senior Support Officers (SSO's) delivered seventy-seven presentations to seniors and those who are involved with seniors in the community. The presentation venues include the banking industry, health care, residential seniors' facilities and social gathering locations such as church groups and Legions. As a resource to seniors and senior organizations in the community, Senior's Support Officers address a small number of reports and investigations in comparison to the volume of telephone inquiries they receive and the advice they impart. When calculating all three divisions, the Seniors Support Officers fielded 3,583 phone calls in 2015 which is an increase from the 2,745 phone calls in 2014.

The SSO's also maintain involvement with local seniors committees and services, including Catholic Family Services, the Alzheimer Society, the Behavioural Supports Ontario (run through COAST) and the Victorian Order of Nurses.

Crimes Against Seniors Unit (CASU)

In 2003 the progress in this area was reviewed and it was recognized that as crime types had evolved and the demands on the Senior Support Officers increased, the Hamilton Police Service needed to

establish a unit with the specialized training to address in-depth investigations and various seniors' issues within the City of Hamilton.

In March 2004, the Crimes Against Seniors Unit (CASU) was formed. The CASU continues to be a unique investigative unit that consists of two Detectives working out of the Victims of Crimes Branch. This unit investigates all types of senior abuse and quality of life issues pertaining to seniors. In October 2015 the Hamilton Police Services Board approved the addition of a third investigator to the unit. The investigator will hold the rank of Detective Constable. The job description and start date is still in the process of being determined.

The Crimes Against Seniors Unit continues to mentor and work in collaboration with the three officers assigned to the Senior's Support Office within each of the three divisions.

Crimes Against Seniors Unit Mandate:

CASU is responsible for the investigation of crimes against persons sixty years of age and older or vulnerable adults, who are being victimized primarily because of their age or vulnerability. The investigators work closely with community agencies to ensure that all reported cases of neglect, exploitation and financial abuse against the elderly are properly investigated:

- Sexual Assaults in conjunction with the Sexual Assault Unit
- Fraud and Theft by Power of Attorney cases
- Incidents of abuse or neglect involving seniors/vulnerable adults residing in Long Term Care Homes, Retirement Residences, residential care facilities or health care facilities
- Provide assistance to investigators and outside agencies as required in cases of a senior/vulnerable adult Sudden Death Investigations occurring in Long Term Care Homes, retirement homes, residential care facilities or health care facilities.
- Other cases as determined by the CASU Detective Sergeant within the Victims of Crime Branch.

These detectives are trained in Major Case Management and related criminal investigative techniques, including the writing of Production Orders, Search Warrants and similar legal documents in the course of their duties.

They represent the Hamilton Police Service on multiple committees at the local, provincial and federal levels (see '[Initiatives](#)' section).

Statistical Overview

Population

City of Hamilton Aging Population³

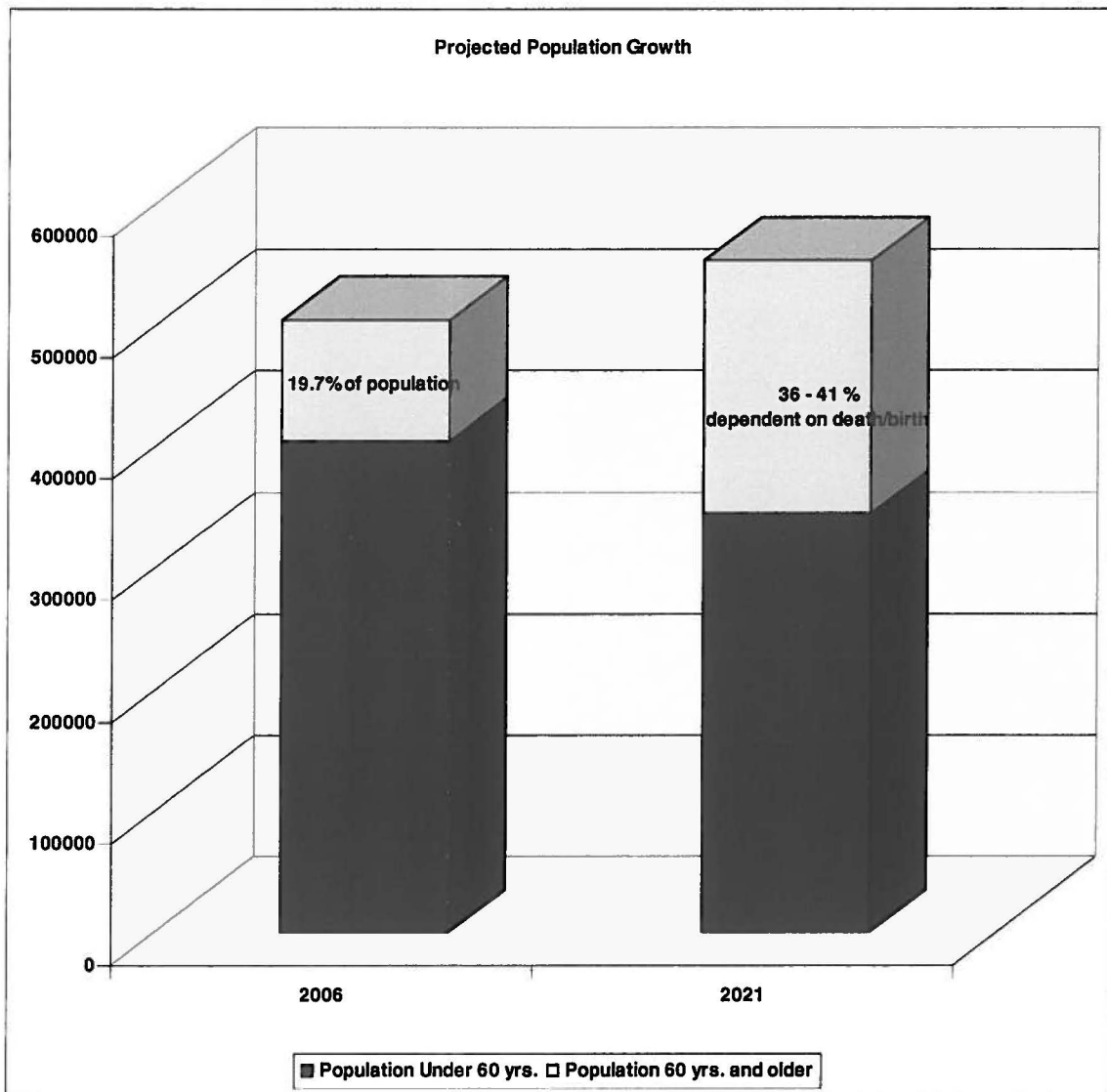
Population	<u>2001</u>	<u>2006</u>	<u>2011</u>
Hamilton	490,270	504,560	519,950

Hamilton 2006			
Age Characteristics	Total	Male	Female
Total population	504,560	245,690	258,870
60 to 64 years	24,225	11,740	12,490
65 to 69 years	19,740	9,390	10,350
70 to 74 years	17,855	8,205	9,655
75 to 79 years	16,210	6,930	9,280
80 to 84 years	12,615	4,860	7,760
85 years and over	8,975	2,820	6,150
Total over 60 years	99,620	43,945	55,685

Hamilton 2011			
Age Characteristics	Total	Male	Female
Total population	519,950	253,775	266,175
60 to 64 years	30,810	14,840	15,970
65 to 69 years	22,930	10,995	11,935
70 to 74 years	18,455	8,645	9,805
75 to 79 years	15,675	6,860	8,815
80 to 84 years	12,635	5,140	7,495
85 years and over	11,880	3,925	7,955
Total over 60 years	112,385	50,405	61,975

Chart 1

³ Source: Statistics Canada 2006 & 2011 Census Population Data (<http://www12.statcan.gc.ca/census-recensement/2011>) [Census published every five years.]



Graph 1

The number of persons over age 60 residing in the City of Hamilton has increased by 12,765 persons since 2006, a 12.8% increase (*Chart 1*). This represents 21.6% of the City population as seniors over age 60. Projections estimate this percentage of the population could represent 36 to 41% by 2021 (*Graph 1* - Based on Metropolitan Census data inclusive of Hamilton, Burlington and Grimsby). As the scope and impact of elder abuse and neglect expands the Hamilton Police Service will require further resources, strategies and partnerships to respond to issues.

Cases assigned to CASU

Number of Reported Crimes Against Seniors 2011 - 2015					
Crimes Against Seniors	2011	2012	2013	2014	2015
Quality of Life		135	208	228	209
Suspicious Circumstances	4	18	8	20	11
Fail to Provide		1	3	9	2
Fraud Over	18	12	22	27	32
Fraud Under	30	34	33	35	50
Theft by Power of Attorney	15	5	18	11	5
Sex Assault	5	13	10	23	9
Assault	11	47	74	102	102
Theft Under	11	40	32	59	31
Theft Over	8	16	13	11	8
Elder Abuse Other	17	154	39	63	96
Totals	119	475	460	588	555

Source: Hamilton Police Service Investigative Services Branch

Chart 2

From 2004 through 2010, individual CASU Detectives recorded their own statistics based on cases they personally reviewed and or investigated. During this time there were also changes in the type of Records Management Systems (RMS) in place, to the current Niche system.

Although Seniors' Support Officers forwarded reports to CASU, this was done previously to share information and to further investigations. This was not done specifically for statistical purposes. Statistics mainly reflected crime types and although searchable by age, would not reflect those instances where seniors were subject of abuse specifically or in which a victim was targeted partially or completely because they were a senior. This was compounded by the documented concern that senior's crime is largely unreported.

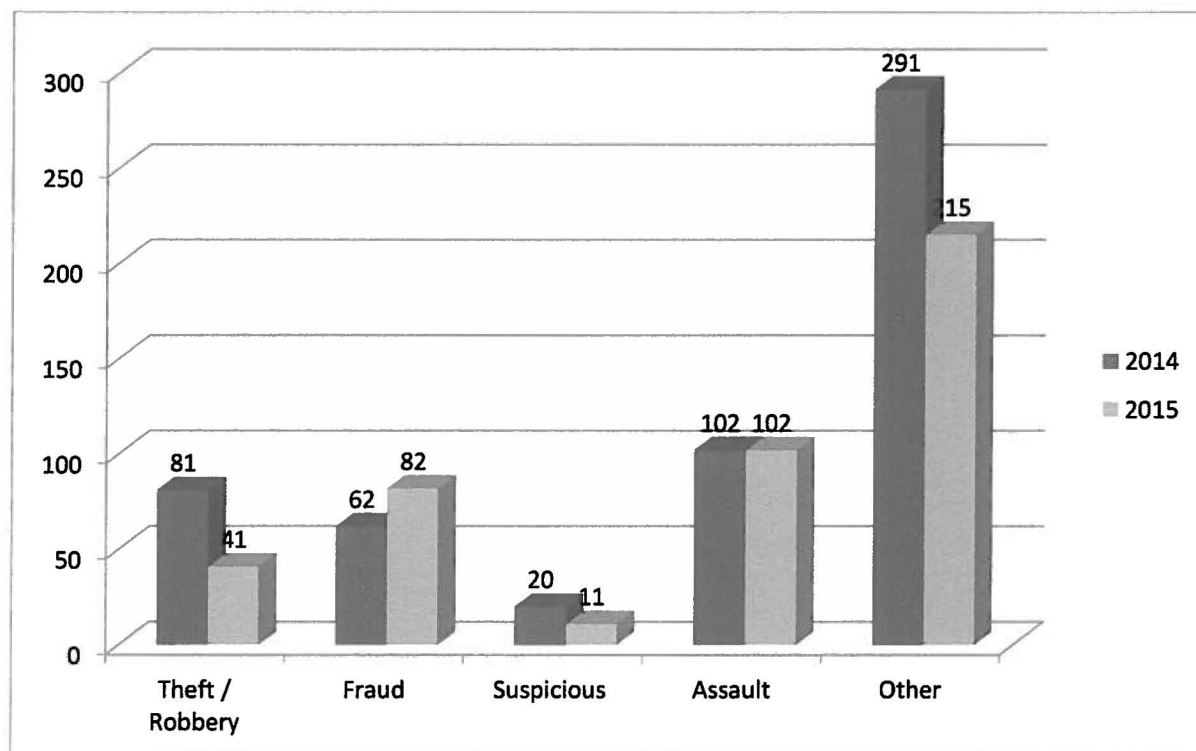
In 2011, a new Occurrence Type named 'Elder Abuse/ Assistance' was implemented to better capture this data and 'flag' it for review. In 2012 it was renamed within the Hamilton Police Service to 'Senior

Abuse/ Assistance’ in order to maintain consistent use of language at a local level and in being cognizant of the role and symbolism of the term ‘Elders’ to the First Nations People (see ‘[Initiatives](#)’).

Following through with the advantages of Niche RMS, along with communication and training initiatives we are more thoroughly collecting additional statistics that assist us in identifying areas of concern in the seniors’ community (*Chart 2*).

Trends – CASU

2014 / 2015



Graph 2

Of the victimization that senior's face, the types that are most often reported to the police are thefts, financial exploitation, frauds and assaults (*Graph 2/ Chart 3*).

Arrests and Charges

Year	Arrests	Charges
2015	10	29
Assault		2
B&E / Unlawfully in Dwelling		0
Fraud Related		15
Possession Stolen Property		2
Sexual Assault		0
Theft		8
Theft by Power of Attorney		1
Other		1
2014	10	28
Assault		3
B&E / Unlawfully in Dwelling		0
Fraud Related		13
Possession Stolen Property		2
Sexual Assault		0
Theft		6
Theft by Power of Attorney		0
Other		4

Chart 3

The predominant numbers of charges laid are as a result of investigations by the Crimes Against Seniors Unit, primarily as the Seniors' Support Officers focus on quality of life and preventative initiatives. Additionally, the Seniors' Support Officers and CASU both resolve many issues by other means, particularly when all involved parties may be seniors with cognitive disabilities; such as in a seniors' residence. In these instances it is often not in the best interest of the parties involved to engage them in the court process. These may include reported assaults of a minor nature, such as 'grabbing' during a dispute.

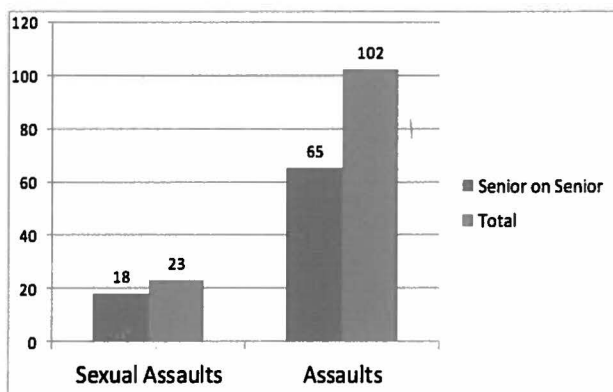
In 2015, officers of the Seniors' Support Office and the Crimes Against Seniors Unit made ten arrests and laid twenty-nine criminal charges.

'Senior on Senior' Assaults:

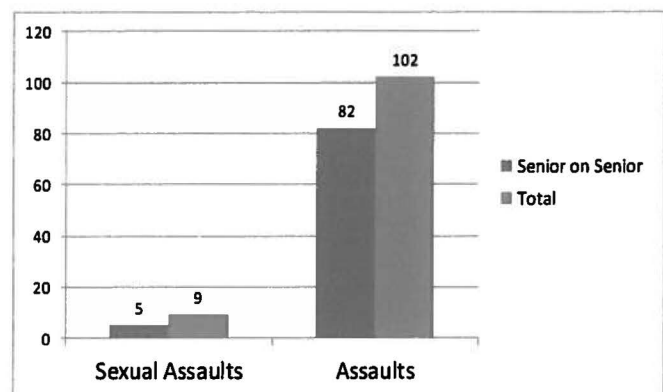
An increasing concern in the seniors' community is the number of physical and sexual assaults that occur where both the perpetrator and victim are seniors. These predominantly occur in Long Term Care facilities and are challenging for both caregivers and police. Often both involved parties suffer cognitive disabilities that both contribute to the incidents and impede individuals' ability to appreciate or recall the incidents.

In 2015, of the one hundred and two physical assaults reported, eighty-two were a senior physically assaulting another senior. Of the nine reported sexual assaults, five were senior upon senior.

2014



2015



New and Re-emerging Trends in 2015:

Canada Revenue and Immigration scam: Seniors in our community are contacted by telephone by persons claiming to be representatives from the Canada Revenue Agency. The senior is told that they owe money on their taxes and that there is a warrant for their arrest. The senior is threatened with going to jail if they don't pay. The senior is instructed to go to the bank, withdraw money, typically in the thousands, and return home to wait for a phone call with further instructions on where and how to send the money. The CASU has been sharing information with the R.C.M. P. as part of an ongoing National Strategy that focuses on the perpetrators of these scams. The Hamilton Police Service received one-hundred and eleven reported incidents of the CRA scam in 2015.

Grandparent scam: Seniors in our community are contacted by telephone and in more recent cases, social networking, by persons claiming to be the grandchild of the senior in need of immediate financial assistance. This is usually premised upon a tale of legal issues while traveling, or being involved in an alleged vehicle collision. The con artists use open ended questions, tricking the seniors into divulging information that can be used against them, such as the very names of their grandchildren. Money is then requested and sent through wire transfer services. This scam appears to be run out of Quebec. The CASU has been working in conjunction with the R.C.M.P. on this issue. The Grandparent Scam has diminished in Ontario in 2013. The trend appears to be that calls are being initiated in Nicaragua with money also being received there.

Direct Marketing: Unsolicited, unwarranted, unnecessary and unscrupulous high pressure sales tactics, targeting older persons. Experience has shown us that the suspects who are responsible for these offences are generally career cons who reside outside our jurisdiction. An emerging trend includes door-to-door sales involving energy companies selling leases for furnaces, air conditioners and water heaters. This is not a senior target-specific crime, however, the elderly seem to fall prey quite frequently. Seniors are swayed into signing rental and maintenance agreements over an extended period of time, usually fifteen years at a price of \$140.00 per month leaving the senior to pay an exorbitant amount, far exceeding the cost of the product sold. The interaction with the senior is not itself criminal but a contractual issue that falls within the mandate of the Ministry of Government and Consumer Services – Consumer Protection Act. The police are usually the first point of contact for these complaints.

Telephone and Mail scams: These scams are of a similar nature in that fees are requested to claim a substantial monetary prize. These incidents have been done both by telephone and by mail. Seniors in our community have experienced significant financial loss as a result. The mitigating factor in these scams is that the perpetrators usually live out of country or province, complicating investigations. Losses as high as over \$60,000.00 for one individual have been reported. These scams continue to plague the city with little or no investigative avenues to explore; education is the key in prevention of these types of offences.

Theft by Power of Attorney – Specifically, Power of Attorney for Property:

In addition to the reported complaints, numerous phone calls are received from seniors or friends of seniors who suspect that a family member is financially exploiting their elderly parents. Many are reluctant to intervene or call the police for a variety of reasons causing the abuse to go unreported for long periods of time. Typically life savings are lost prior to the police being notified. These investigations are highly complex and time consuming for investigators. Caregivers outside of the family dynamic have also been seen to obtain Power of Attorney for Property by gaining the trust of the senior. When this occurs usually there are no other family members available or involved in the senior's care, once again allowing the matter to go undetected until life savings are depleted.

Physical Abuse:

Physical abuse for seniors occurs in many formats. It may be perpetrated by domestic partners, other family and formal caregivers. It is often complicated by medical issues and cognitive deficiencies, which may also be an underlying contributing factor to these issues. The report *Graph 2* shows a spike in Assault reporting which was caused primarily due to a change in the Long Term Care Homes Act that has made reporting mandatory to the police; based upon the suspicion that a criminal offence has been committed. This type of abuse will only increase as the population ages. A collaborative approach between the Administrators of Long Term Care, staff physicians and the police is required to resolve this issue in the best interest of all involved parties.

Self – Neglect:

An alarming number of seniors live in self - neglect. Many community partners, including the Senior Support Officers and CASU work together in order to offer supports to these seniors who are generally reluctant to have any outside influence in their homes. Most often this is not a crime however it is a social problem that the police respond to as a first point of contact. Primarily, the Senior Support Officers intervene and arrange services to help improve the quality of life of the senior.

Active Neglect: intentional failure of a caregiver to fulfill their care-giving responsibilities

Fail to Provide the Necessaries of Life: This offence may not be considered a trend but it is troubling. A senior who is subjected to an extreme form of neglect that requires hospitalization requires further investigation. Although the numbers are not high in comparison to other offences, the suffering