

Abuse of People with Disabilities

Information 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 may experience abuse.

People with disabilities include people with physical, sensory, mental health and intellectual disabilities.

The justice system identifies people who have experienced abuse as *victims*. This booklet uses *victim* when describing justice system responses.

- 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 complain.
- People with disabilities often have much lower incomes.

Having a disability may put a person at risk of abuse

- People often have negative attitudes about disability.
- People with disabilities are often socially isolated.
- People with disabilities are often in relationships where another person controls the decision-making.

What is abuse?

Abuse is anything that causes harm to an individual. Abuse can be physical, sexual, psychological/emotional, or economic/financial. Abuse of people with disabilities, like all forms of abuse, is an abuse of power and control.

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Physical abuse: intentionally causing a person pain or injury.

Common examples:

- hitting, kicking or pinching
- handling someone roughly, slapping them
- giving inappropriate medication
- confining people or using restraints

Sexual abuse: forcing someone to have sex. It includes kissing or touching as well as intercourse.

Psychological/emotional abuse : behaviour that takes away someone's dignity and self worth.

Common examples:

- calling someone names or putting them down
- isolating or ignoring them
- threatening to remove benefits, services, medication, treatment etc.
- threatening to destroy pets or personal belongings
- removing aids (such as a wheelchair or communication device)
- threatening to send the person to an institution

Economic/financial abuse : controlling another person's finances without permission.

Common examples:

- withholding money for basic necessities such as food, clothing, medication, and transportation
- preventing someone from getting to work or denying access to employment altogether
- depriving someone of financial benefits

- taking the money needed for food and shelter and gambling it away or using it to buy drugs, etc.

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

Neglect may involve not giving someone food, care, or necessary medication. It is also neglect when someone doesn't stop another person from being abused.

Common examples

- not providing enough to eat or drink
- not providing appropriate supervision
- not providing enough heat/electricity
- not providing appropriate personal care
- removing dentures, glasses, hearing aids
- allowing the person to develop skin conditions or pressure sores
- leaving the person's medical problems untreated

Systemic abuse: Systemic abuse refers to practices that take away a person's independence and dignity. Systemic abuse happens in settings where other people are making decisions for the person who has a disability. Government bodies and bureaucrats can also be involved in systemic abuse.

Institutional abuse : This is a form of systemic abuse. In institutional settings, power imbalances often exist between service providers and people they serve. Research has shown that people with disabilities who live in institutions are more likely to experience abuse than those who live in the community.

Contributing factors to abuse

Caregiver stress: Caregiver or family stress may precipitate 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, usually through their 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.

Who are the abusers?

Often the abusers are friends, family members, caregivers, or service providers.

- 33% of abusers are acquaintances, 33% are natural or foster family members, and 25% are caregivers or service providers (Sobsey, 1998).
- It is estimated that approximately 67% of perpetrators who abused individuals with severe developmental disabilities accessed them through their work in disability services (Sobsey, 1991).

Barriers to disclosure

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

How widespread is abuse of people with disabilities?

- Most people with disabilities will experience some form of sexual assault or abuse (Sobsey & Varnhagen, 1989). People who have some level of intellectual impairment are at the highest risk of abuse (Sobsey & Doe, 1991).
- Between 39 to 68% of girls and 16 to 30% of boys will be sexually abused before their eighteenth birthday (Sobsey, 1994).
- A survey of 245 women with disabilities conducted by DisAbleD Women’s Network Canada found that 40% had been abused and 12% had been raped (DAWN, 1989).
- Males with disabilities are twice as likely than males without disabilities to be sexually abused in their lifetime (Statistics Canada, 1994).
- Among adults who have developmental disabilities, as many as 83% of the females and 32% of the males are the victims of sexual assault (Johnson & Sigler, 2000).
- For individuals with psychiatric disabilities, the rate of violent criminal victimization including sexual assault was two times greater than in the general population (8.2% vs. 3.1%) (Hiday, Swartz, Swanson, Borum, & Wagner, H.R. 1999).
- The abuse of people with disabilities is often invisible. When identified, it is underreported. Reports are usually limited to serious instances of physical and sexual abuse. Verbal and psychological abuse, and cases of restraint and control, are almost never reported (Sobsey, 1994; Rindfleish & Bean, 1988).
- People with disabilities have to live in institutional or residential settings away from public scrutiny and with little or no access to police, support services, or advocates. More abuse occurs “behind locked doors” (Crossmaker, 1991).

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 act as advocates 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 considered to be less credible. For example, they may be seen as unreliable witnesses in court simply because they have a disability.

Characteristics of abuse

- Abuse usually occurs when abusers have a need to impose power or to abuse the power that they already hold, and the person with the disability feels powerless to stop the abuse from occurring.
- It may involve multiple forms of abuse.
- It may involve a variety of tactics and strategies that on their own do not appear abusive but in combination

with ongoing threats, result in intimidating the person they are abusing.

- In many situations, abusers know that they can get away with this behaviour because the person they are abusing is isolated from social supports or is dependent upon them for economic, social, or physical support.

Indicators of abuse

Physical signs include:

- unexplained injuries, pain, or bruising
- delay in seeking treatment
- over-sedation
- stained, torn or missing clothes
- change in sexual behaviour
- unexplained pregnancy
- sexually transmitted diseases

Behavioural signs include:

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

Circumstantial signs include:

- Alcohol or drug abuse by caregiver
- Devaluing attitudes by caregiver

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 anyone who has a disability:

- is involved in the community
- has control over their life and makes their own decisions
- can do as much on their own as possible
- can get information about their rights

There are actions that service providers can take to help prevent the abuse of people with disabilities:

- Appreciate the serious dimension of abuse of people with disabilities
- Learn to recognize the signs of abuse.
- Listen to, believe, and act on accounts of abuse.
- Recognize and respect the fact that many persons with disabilities are able to exercise independent decision-making
- Provide information on abuse, as well as options, and resources

- Know about, and network with, victim-serving resources

What can you do if an adult may be 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 discloses 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. It involves a relationship of trust and a space for the person to assess the impact and extent of the abuse.

- 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 them to contact a trusted family member or friend for support.
- Explain the options available.
- Discuss the advantages and disadvantages of each option or contact someone who can.
- Let the person make his/her own decision.
- If the person's safety is at risk, tell the police and Victim Services.
- Help stop abuse and neglect. Report it!

What if the adult can't get help on their own?

If you know or suspect that someone

- is abused, neglected or self-neglected, and
- is refusing support and assistance, and
- appears to be mentally incapable or physically unable to get help on their own

report the situation.

In BC, contact:

- your regional health authority or
- your local community living service of the Ministry of Children and Family Development (for adults with a developmental disability)

Community numbers for reporting abuse and neglect are on the Internet at:

www.trustee.bc.ca/report%20phone.htm

Know what legal protections are available

A proactive approach to reporting abuse and prosecuting abusers has been shown to reduce victimization (Russell, 2002).

- 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 over, or in a relationship of dependency with a disabled person from counseling or inciting any kind of sexual touching in relation to the disabled person without his or her consent.

- Guardianship legislation is designed to protect vulnerable adults from abuse. The **BC Adult Guardianship Act** offers practical tools for intervention, including a court order to get past a suspected abuser to talk to the person about the abuse. See the pamphlet, *Protecting Adults from Abuse, Neglect and Self-Neglect*, online at <http://www.trustee.bc.ca/AG6%20-%20Protecting%20Adults>
- Under **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 come 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 a condition designed 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.gov.bc.ca/pssg/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 eligible victims injured as a result of certain crimes with financial assistance and/or benefits.

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' councils and independent advocates to prevent the abuse and to facilitate disclosure.
- Programs that provide services to people with disabilities need to carefully screen, train, and supervise staff. Providing positive role models and working conditions may be as important as confronting abusive caregivers.

Abuse Prevention Information Sites

Canadian Health Network

<http://www.canadian-health-network.ca/1violence.html>

Information about resources on different forms of abuse, and links to agencies that produced the information.

Canadian National Clearinghouse on Family Violence

<http://www.hc-sc.gc.ca/hppb/familyviolence/>

Information on violence prevention resources, including violence against people with disabilities

BC Institute Against Family Violence

<http://www.bcifv.org>

Links to resources on different forms of abuse.

VICTIM SERVICES

VictimLINK

Telephone: BC Toll Free 1 800 563-0808, 24 hours a day, seven days a week. Deaf and hard of hearing people can contact VictimLINK via the TTY service at 604 875-0885; to call collect,

please call the Telus Relay Service at 711.

VictimLINK is operated by the Victim Services Division of the BC Ministry of Public Safety and Solicitor General. Victim Services Division funds a network of victim service programs. Go to the Victim Services Division Directory:

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

DISABILITY SITES

BC Coalition of People with Disabilities

<http://www.bccpd.ca>

BC umbrella disability rights group. They can direct you to other disability resources in the province

#204 - 456 West Broadway

Vancouver BC V5Y 1R3

Tel: 604-875-0188; TTY: 604-875-8835;

Fax: 604-875-9227

DisAbled Women's Network (DAWN)

<http://www.dawncanada.net>

Deals with violence and abuse against women with disabilities. Will link you with provincial DAWN groups.

Disability Weblinks

<http://www.disabilityweblinks.ca/>

Enablelink
<http://www.enablelink.org/>

Council of Canadians with Disabilities (CCD)
<http://www.pcs.mb.ca/~ccd/>

The Roeher Institute
<http://www.roeher.ca/>

ADVOCACY RESOURCES

ARCH: A Legal Resource Center for Persons with Disabilities

<http://www.arch-online.org>
An Ontario-based legal clinic and legal resource centre.
425 Bloor Street East, Suite 110
Toronto, Ontario M4W 3R5
Phone 416-482-8255; Fax 416- 482-2981;
TTY 416- 482-1254

BC Association for Community Living

<http://www.bcacl.org>
Focuses on the rights of adults and children who have a developmental disability.
#300 - 30 East 6th Avenue
Vancouver, B.C. V5T 4P4
Phone: 604-875-1119; Fax: 604-875-6744

BC Coalition to Eliminate Abuse of Seniors
<http://www.bcceas.ca>

Focuses on the elimination of abuse of seniors. Provides information, advocacy, and resources.
#304 – 5050 Kingsway
Burnaby, BC V5H 4C2
Phone: 604-437-1940; Fax: 604-437-1929;
Toll Free 1-866-437-1940

Office of the Public Guardian and Trustee of British Columbia

www.trustee.bc.ca
The Public Guardian and Trustee upholds an adult's right to self-determination and provides support and protection for those vulnerable to abuse.
#700-808 West Hastings Street
Vancouver, British Columbia V6C 3L3
For services to adults, contact:
Phone: 604-775-0202; Fax: 604-660-4493

Shelternet

<http://www.shelternet.ca>
An online Canada-wide resource to help abused women and children find shelter, safety, and information about their options.

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