

Definition of Abuse and the Different Types of Abuse

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A. Definition of Abuse

The following is the definition of abuse in *The Protection for Persons in Care Act* (PPCA)

In this Act,

"abuse" means mistreatment, whether physical, sexual, mental, emotional, financial or a combination of any of them, that is reasonably likely to cause death or that causes or is reasonably likely to cause serious physical or psychological harm to a person, or significant loss to the person's property;

B. Physical Abuse

Physical abuse is physical mistreatment that is reasonably likely to cause death or that causes or is reasonably likely to cause serious physical or psychological harm.

Examples of physical mistreatment include, but are not limited to:

- hitting, pushing, pulling, rough handling, shoving;
- use of an object or weapon in a violent manner;
- slapping, kicking, beating;
- using physical restraint not following policy;
- deliberate exposure to extreme weather;
- misuse of medication, withholding medication;
- chemical restraint (e.g. psychotropic medication for any purpose not ordered by the physician); or
- neglect (see below)

Physical signs of physical abuse may include but are not limited to:

- history of injuries over a period of time;
- unexplained bruises, broken bones, broken or missing teeth;
- loss of function permanently or for a significant period of time;
- neurological impairment, temporary, or permanent; or
- injuries that do not match the explanation.

Behavioral signs of physical abuse may include but are not limited to:

- inappropriate fear response, aggressive behavior;
- cringing or flinching if touched unexpectedly;
- hiding bruises or injuries or reluctance to remove clothing; or
- depression, anxiety, withdrawal, sleep disorders.

Neglect (Physical Abuse)

Mistreatment by neglect that is reasonably likely to cause death or that causes or is reasonably likely to cause serious physical or psychological harm to a person is “physical abuse”.

Neglect can be broadly categorized into two types. *Active Neglect* is the intentional withholding of care or the necessities of life such as not providing for a patient’s basic physical needs. *Passive Neglect* is unintentional failure to give proper care because of lack of knowledge, attention, experience or ability on the part of a caregiver(s).

Examples of neglect include but are not limited to:

- long-term failure to help patients maintain personal hygiene when they cannot manage it themselves;
- failure to provide adequate clothing, or shelter;
- failure to provide appropriate patient care for physical and mental health needs;
- failure to protect patients from health and safety hazards;
- failure to provide adequate food and prevent malnutrition;
- failure to follow the patient’s individual care plan;
- failure to follow established procedures; or
- failure to treat recurring bedsores that may be preventable.

C. Emotional Abuse

Emotional (mental) abuse is emotional mistreatment that is reasonably likely to cause death or that causes or is reasonably likely to cause serious physical or psychological harm to a person.

Examples of emotional mistreatment include but are not limited to:

- verbal assaults/ harassment/ bullying;
- threats/instilling fear/intimidation/ humiliation;
- social isolation;
- forcible confinement;
- name calling;
- denial of privacy;
- restriction of contact with family members or friends; or
- coercion, forced treatment.

Examples of physical signs of emotional abuse may include, but are not limited to:

- bedwetting, diarrhea, nausea; and/or
- frequent psychosomatic complaints such as headaches, nausea, abdominal pains.

Examples of behavioral signs of emotional abuse include, but are not limited to:

- withdrawal, depression, fear;
- aggressiveness; and/or
- mood swings.

D. Sexual Abuse

Sexual abuse is sexual mistreatment that is reasonably likely to cause death or that causes or is reasonably likely to cause serious physical or psychological harm.

Examples of sexual mistreatment are, but are not limited to:

- Coercing a person through force, trickery, threats or other means into unwanted sexual activity such as:
 - sexual assault/rape;
 - physically intrusive acts such as sexualized kissing/fondling and oral/genital contact;
 - any act designed to use the patient for the perpetrator's sexual gratification; and/or
 - using the victim to produce pornographic materials, or allowing others sexual access to the individual.
- Exhibitionism/voyeurism by the alleged abuser
- Sexual harassment such as:
 - unnecessary physical contact, such as touching, patting or pinching;
 - demands for sexual favors in return for a promise of a reward or a threat of reprisal;
 - unwelcome sexual remarks or jokes that denigrate one's gender; and/or
 - displaying derogatory materials such as pictures, cartoons or printed matter.

Physical signs of sexual abuse may include, but are not limited to:

- pain, redness, bruising, cuts or bleeding in genital area ,difficulty walking or sitting;
- bloody or torn clothing;
- evidence of sexually transmitted infection; and/or
- pregnancy.

Behavioral signs of sexual abuse may include, but are not limited to:

- fear, withdrawal, and/or
- depression, anxiety, distress.

E. Financial Abuse

Financial abuse is financial, mental, emotional or other mistreatment that causes or is reasonably likely to cause significant loss to the person's property.

Examples of mistreatment that can result in financial abuse include, but are not limited to:

- theft;
- extortion;
- conning;
- forced changes of wills, titles;
- misuse of power of attorney;
- mismanagement of assets by a guardian, attorney, or other person in a position of trust;
- all misappropriations or improper or illegal conversion of money or other valuable possessions;
- use of patients' property/ money for purposes other than those intended by the patient;
- convincing patients to give away money, property or possessions with threats or coercion;
- having incompetent patients changing their wills or powers of attorney; or
- cashing patient's cheques without authorization.