

When Elder Abuse Involves the Police

Calling the police is an important way for the abused older adult to be protected and one way to prevent future occurrences.

Making a Criminal Complaint

The police may proceed as follows:

- > investigate the complaint
- > interview the abused person and possibly family members, caregivers, and neighbours who have evidence about the incident
- > may also interview the alleged abuser
- > gather evidence that is relevant to the complaint
- > may lay charges against the alleged abuser

Even if not for a criminal matter, the police can be very helpful in connecting seniors to various supports in the community—making referrals to other agencies as needed.

Victims' Services

- > provide information
- > offer practical assistance
- > extend emotional support
- > help communicate the victim's needs and concerns to the police or Crown Counsel

Laying charges

- > After the statement is completed, police will investigate the complaint.
- > If deemed a crime, police prepare a "Report to Crown Counsel" (RTCC).
- > Crown counsel reviews RTCC and decides whether to charge the accused with a crime.
- > With sufficient evidence, an information will be laid and the police will arrest the suspected offender.

The Accused

When an accused is arrested, the police will either

- > keep that person in custody
- or
- > let the person go on bail

The Process

Three types of criminal offences:

- > summary offences
 - > indictable offences
- and
- > a hybrid of summary and indictable offences

Summary Offences

These kinds of offences can be tried only in Provincial Court and include most minor offences in the *Criminal Code*, for example, harassing telephone calls.

Indictable Offences

These kinds of offences carry more severe penalties than summary offences. Examples include murder, manslaughter, and aggravated assault.

Summary or Indictable (“Hybrid”) Offences

For these offences, the Crown will choose whether the offence is tried summarily or on indictment.

- > If the Crown proceeds by way of indictment, the accused can then elect the mode of trial (jury or judge), as in the indictable option above.

ADDITIONAL RESOURCES ON ALBERTA LAW

- > More information about abuse of older adults, including links to related websites, can be found on Oak-Net at www.oaknet.ca/abuse
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