

***Responding to Elder Abuse in Culturally and Linguistically Diverse Communities: a resource for seniors' service providers in Canada***

***Section 1: Elder Abuse Through a Cultural Lens***

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*Asking someone to see their own culture is like  
asking a fish to see the water it is swimming in  
-Saying, origin unknown*

## **Introduction**

This section provides an introduction to culture and explores abuse within the context of ethnocultural communities and immigration. Suggested exercises and practice modifications are given in the “what to do” sections and additional resources relevant to each topic area are given in the “further reading & resources” sections. This resource is by no means exhaustive and you are encouraged to follow up on the recommended resources for further reading and to judge the information shared against your own experience.

### **1.A) What is Culture?**

“Culture” is a word that is often used but frequently misunderstood. All too often what we are referring to when we mention “culture” is limited to objects, food, clothing, or performances. Of course these are part of culture but, much like an iceberg, they are only the small visible tip of a complex whole that we are often unaware of. According to Anthropologists Haviland, Fedorak, and Lee, **culture is the “shared ideals, values, and beliefs that people use to interpret experiences and generate behaviour and that are reflected by their behaviour”** (Haviland, Fedorak, and Lee, 2009:34). More simply, in the words of a Project Wisdom workshop participant, culture is “a way of living.”

Culture is unconsciously **learned** throughout our lives and is **constantly evolving** in response to our experiences and surroundings. Our culture guides our behaviour and provides answers to questions like ‘how should we do things?’ ‘how do we make sense of the world?’ and ‘what is right and wrong?’ (Kottak 2008:2). Culture impacts our

- Sense of self
- Food choices
- Personal boundaries (physical contact and personal space)
- Expectations of self, life, and others
- Style of communication
- Concept of time
- Self’s relationship to group, community & social environment
- Ways of viewing and approaching illness, wellness, and conflict

Diversity in Action: A Toolkit for Residential Settings for Seniors 2008:3

Your own culture is the **lens** through which you see the world, you can think of it as your “default” view. Becoming more aware of your own cultural lens (**your assumptions, values, and beliefs**) is a necessary first step to accepting that this is only one of many ways of being in the world. Exercise 1 below may help you identify some pillars of your own cultural lens.

### Exercise 1: Values continuum

Below is a list of values set in opposition to one another. These are just a few examples of ways that cultural lenses can vary. Take a moment to ask yourself where you fall along each continuum. Then either discuss with someone else or just ask yourself; how might your answers compare to your friends', family members', colleagues'? How easy or difficult would it be for you to accept the wishes of a person who fell at a different point on each continuum? Can you think of other values that could be placed in this chart?

1 = Strongly identify, 2 = Somewhat identify, 3 = Identify equally with both

<b>Fate, Destiny</b> (life is what happens to me)	1    2    3    2    1	<b>Individual control</b> (life is what I make it)
<b>Interdependence/ collectivist</b> (success lies in connection to and consideration of the group/community/family)	1    2    3    2    1	<b>Independence/ Individualist</b> (group membership/connection is not essential for success)
<b>Harmony &amp; cooperation</b> (this is the way to get things done)	1    2    3    2    1	<b>Competition</b> is good and <b>conflict</b> is accepted (this is the way to get things done)
<b>Patience</b> valued and confrontation avoided	1    2    3    2    1	Get the job done <b>as quickly as possible</b> . Results-oriented
<b>Indirect communication</b> (maintaining harmony is critical)	1    2    3    2    1	<b>Direct communication</b> (tell it like it is, even if it hurts)
<b>Group/family</b> should be involved in decisions	1    2    3    2    1	<b>Individual</b> should make own decisions alone
<b>Stability, Tradition, Continuity</b> valued (accept things as they are)	1    2    3    2    1	<b>Change is natural and positive</b> (challenging the status quo is valued)
<b>Men and Women can and should perform the same tasks</b>	1    2    3    2    1	<b>Men and Women can and should perform different tasks</b>

Sources: Elliot 1999, Deardorff 2000, de Lourdes 2005

#### What to do:

##### *Know yourself:*

Use the following questions to think about your own cultural identity, the fibres and threads that make up the fabric of who you are and how you interpret the world.

- How do I describe my cultural heritage and identity? Is it the same as my parents'; my grandparents'?
- What values, beliefs, opinions and attitudes do I hold that are consistent and inconsistent with the dominant culture? How did I learn these?
- What should I know about my biases with respect to my professional and personal roles?
- What unique abilities, aspirations, expectations, and limitations do I have that might influence my relationship with people from other cultures?
- Do I keep up with world affairs? Am I aware of, and sensitive to, events that may be affecting someone whose life is influenced by things taking place elsewhere in the world?

[Adapted with permission from Elliot 1999: 4-5]

### ***Learn from others:***

After asking yourself the above questions, now ask yourself; how willing you are to accept a person who does not share these things. When you become more aware of your own cultural lens, you will be better able to perceive and accept other cultural lenses as valid. To better understand the cultural lens of your client it is important to **avoid stereotyping and making assumptions**. Remember that:

- Your client is the best source of information about her/his own cultural lens, priorities, and needs. Respect and accept what she/he tells you.
- There are as many variations to a given culture as there are members of it.
- Once you have learned from your client, you can supplement this with independent research to fill in gaps in your understanding.
- Don't be shy. Don't make assumptions, if cultural information is needed, **ask**.

### ***Exercise 2: mini case study***

Consider the following scenario and questions:

*A Hindu woman of 79 lives with her son and daughter-in-law. She is devoutly vegetarian but is unable to prepare meals herself due to chronic shoulder pain. The daughter in law helps with personal care and activities of daily living, including preparing meals for her mother in law and family. The Daughter in law prepares vegetarian and meat dishes with the same pots and utensils. The older woman feels that food prepared in this way is unclean and that being forced to eat it is abusive; she should not have to choose between food and her faith. The daughter in law is busy and family finances are tight. She refuses to buy a complete second set of cookware. (Fictional scenario adapted from Nagpaul 1997)*

- What bothers you about this situation?
- What key cultural features are relevant here?

- Do elements of your own cultural lens differ from older woman's in this scenario?
- How important is being able to accept the differences between your own cultural 'lens' and senior's 'lens' to being able to find an appropriate solution?

### ***Further Reading & Resources***

- [Diversity in Action: A Toolkit for Residential Settings for Seniors.](#)
- Elliot, Gail. 2001. Cross Cultural Awareness in an Aging Society: Effective Strategies for Communication and Caring. Office of Gerontological Studies, McMaster University. 3<sup>rd</sup> Edition.
- [Georgetown National Centre for Cultural Competence](#)
- [McGill Multicultural Health Resource Centre](#)

### **1.B) Culture and Your Work**

*Sometimes we feel that the other person, having a completely different background or culture, will not understand. So we don't even try.*  
 – Punjabi focus group, Guelph, 2010

Culture is a constant presence in our daily personal and professional lives. In addition to affecting how we do our work, culture also affects how the people we work with perceive us and our services. As Nerenberg (1999) argues, “[t]he likelihood that victims will seek out or accept protective services and the type of services that they find acceptable or helpful to a great extent [are] determined culturally” (Nerenberg, 1999:205). In addition to the features noted above, culture affects;

- How a given situation is interpreted. Including its causes, consequences, and acceptable resolution strategies.
- Family roles and responsibilities
- How families and individuals cope with stress
- How resources are distributed and managed within a family
- How decisions are made (who is involved and the priorities used to evaluate them)
- With whom family troubles can be discussed (many cultures have a strong taboo against discussing family matters with outsiders)
- What services are deemed acceptable
- Perceptions of what is “abuse” and perceived severity of different kinds of abuse.
- What topics are appropriate to discuss with whom (for example sexual issues may be inappropriate to discuss with members of the opposite sex and family or personal finances may be taboo topics to discuss with ‘outsiders’)

*Abuse is like sex and money –these are things you don't talk about with anyone!*

*Project Wisdom: Intercultural Awareness of Elder Abuse, September 2011*

*-Male Arabic speaker, community consultation, Project Wisdom, 2010*

In order for you to successfully reduce vulnerability and harm in your work with ethnocultural communities, it is important to understand the “nature and interplay of those cultural factors that affect the risk of abuse, helpseeking behaviour, and families’ service needs” (Nerenberg, 1999:205). **Building awareness of and sensitivity to cultural difference in a way that supports culturally appropriate practice is an ongoing process requiring change at the individual, institutional, and systemic levels.**

***What to do: As an individual service provider, you can***

- **Avoid making assumptions** – remember that the client is the best source of information about her/his needs, priorities, expectations, and culture
- **Build your own capacity/understanding** by exploring cultural difference in your own community:
  - Find out about local cultural groups and associations
  - Contact and build relationships with local settlement services providers
  - Take advantage of opportunities to attend cultural events in your area – you will learn and your effort will be appreciated
- Apply a **critical cultural lens** to your organizations policies, services, and outreach strategies; Who are you not reaching and why? Is the community’s diversity reflected in staff? Are provisions made for language interpretation? Are printed materials available in appropriate languages?
- Remember that **building trust relationships** with seniors from a culture other than your own **may take more time**; go slowly

***Further Reading & Resources***

- Durst, Douglas. 2005. Aging Amongst Immigrants in Canada: Policy and Planning Implications. Paper presented at the 12<sup>th</sup> Biennial Canadian Social Welfare Policy Conference: “Forging Social Futures” June 17 <http://www.ccsd.ca/cswp/2005/durst.pdf>
- Gelfand, Donald E. 2003. Aging and Ethnicity: Knowledge and Services. 2<sup>nd</sup> Edition. New York: Springer Publishing Co.
- Intercultural Association of Greater Victoria and the Victoria Community Response Network. 2005. A Toolkit to Help Agencies Reach Ethnocultural Seniors. [http://www.bccrns.ca/crns/members/victoria/ica\\_toolkit\\_cd.pdf](http://www.bccrns.ca/crns/members/victoria/ica_toolkit_cd.pdf)
- Nerenberg, Lisa. 1999. Culturally Specific Outreach in Elder Abuse. Pp. 205-220 in Understanding Elder Abuse in Minority Populations. Toshio Tatara (Ed.). Routledge

### **1.C) Culture and Elder Abuse**

*An elderly Chinese gentleman was present at one of the early Project Wisdom advisory committee meetings. During discussion of different types of abuse, he asked the question: "could someone please explain what financial abuse is?" Other members of the committee explained financial abuse using the example of an adult child who siphons away a parent's pension for her/his own purposes. "Oh" said the gentleman, "you mean cheating. We would call that cheating!"*  
*-Anecdote, Project Wisdom Advisory Committee, 2010*

**Culture is an influential factor in determining what is and is not labelled as 'abuse,' in what terms and with whom it can be discussed, in the perceived severity of different types of abuse.** As Ruf explains; "Definitions of abuse and neglect are socially constructed and reflect culturally defined norms and values regarding acceptable and unacceptable behaviour" (Ruf, 2006:53). Language differences add another layer of complication as the implicit meanings and nuances in understanding that are associated with the word "abuse" vary between languages. Moreover there may be no equivalent term for "elder abuse" in the senior's language.

Consider the following examples:

- In some Native American communities, sharing of resource within the family is expected, so using old age pension for family expenses is acceptable (Nerenberg 2008).
- To some African Americans, placing a senior in a long-term care facility may be considered abuse (Nerenberg 2008).
- Caucasians have been showed to be more tolerant of verbal abuse while Koreans have been shown to be more tolerant of financial abuse (Nerenberg 2008).
- Indian focus group participants linked "abuse" to extreme violence and were unwilling to use the word abuse or to acknowledge that abuse existed in their communities. (WHO Missing Voices 2002:9)

#### ***What to do: Modify your approach and questions to introduce a cultural lens***

- **Avoid value-laden words** like "victim" or "abuse" - Be attentive to the words that the senior uses to describe her/his situation. For example, some alternative words or phrases may include: **disrespect** by family, loss of **dignity**, emotional problems, or feelings of insecurity.
- Be open to **working with family members** – In some cultures, the welfare of the group or family is prioritized above the welfare of the individual. It may be important to honour this by working with the family in some cultures more than others.

- It may be useful to **re-frame help-seeking as an act of strength** that will benefit the family – In cultures in which self-sacrifice for the good of the group/family is valued, a senior may be more motivated to end abuse if it is framed as a non-selfish act.
- **Keep questions simple**; “is your family good to you?”
- **Avoid ‘double barrelled’** questions such as “would you like to do ‘X’ now or later?”
- **Appeal to the senior’s sense of family loyalty and obligation** – in cultures where respecting elders or filial piety are highly valued, older adults may be more willing to discuss abuse if they feel that these expectations are being violated. Questions like “does your family treat you with respect?” or “what do you sacrifice for your family” may be helpful.
- Whenever possible, **provide information in the senior’s first language** and use a **professionally accredited interpreter** (see Section 2 for further discussion).

### ***Further Reading & Resources***

- Family Services Toronto, [“If I’d Only Known” Brochures](#): information about abuse in 6 South Asian languages: Dari, Farsi, Pashto, Punjabi, Somali, and Tamil.
- The National Committee for the Prevention of Elder Abuse. [The Role of Culture in Elder Abuse](#).
- Ruf, Paulina. 2006. Understanding Elder Abuse in Minority Populations. In *Elder Abuse: A Public Health Perspective*. Randal W. Summers & Allan M. Hoffman, Eds. Pp.51-62
- Tomita, Susan K. 2000. Elder Mistreatment: Practice Modifications to Accommodate Cultural Differences. *Journal of Multicultural Social Work*. 8:3/4 Pp. 305-326.
- World Health Organization (WHO) & International Network for the Prevention of Elder Abuse (INPEA). 2002. [Missing Voices: Views of Older Persons on Elder Abuse](#). Geneva: World Health Organization.

## **1.D) Vulnerability to Abuse and Barriers to Service**

### ***A note on language:***

It must be noted that the terms “**ethnocultural senior**” and “**immigrant senior**” are **not interchangeable**. Rather, they refer to two distinct, although often related, groups. The term “**ethnocultural senior**” (also often referred to as seniors from “**racialized groups**”) refers to seniors whose ethnicity, religion, race, or culture is different from mainstream Canadians. (National Advisory Council on Aging, 2005:2). The term “ethnocultural senior” encompasses seniors who have

- Been borne in Canada
- Immigrated early in life
- Immigrated late in life

The term “**immigrant**” refers to “people born outside of Canada who have been permitted by Canadian immigration authorities to live in the country permanently” (Spencer 2009).

In many ways, the factors that increase vulnerability to abuse and barriers to service for ethnocultural and immigrant seniors are the same as those that contribute to vulnerability in the general population and are well documented in elder abuse literature. However, there are nuances and subtleties that are unique to ethnocultural and immigrant seniors that change the character of some familiar risk factors. For example;

- **Isolation** – In the case of ethnocultural or immigrant seniors, this can include isolation from their home country, from community and traditional family supports, from their host community, from the children they followed to this new context, and from grandchildren who have adopted a new culture (Gelfand 2003:119). Isolation can come from lack of knowledge, resources, social networks, language, or simply fear.

*It feels odd to try to make friends with people who look or are different. Simply "staying away" from public places or becoming a virtual prisoner in our own home is a way of dealing with loss of self-esteem and self-confidence.*

*- Anecdote from Punjabi focus group report, Guelph 2010*

- **Lack of financial resources or lack of control over financial resources** – In some cultures, it is expected that family member's resources will be used to support the wellbeing of the family as a whole meaning that the older adult may not have control over her/his own resources or feel that it is right to use her/his income for only her/his own needs. In the case of seniors who are sponsored by their families to immigrate to Canada, they often liquidate all their assets to give to their sponsor(s) with the expectation that their needs will be provided for and their contribution respected. In other cases, as with other older adults, adult children simply use their parent's money for their own purposes

*There was a senior lady in my class and she was around 70. She lived with her son because her son wanted to use her money from the government. Even though she wanted to move out to live independently, her son forced her to live [with him].*

*- Male Korean Speaker, Excerpt from Power Point presentation given by Dr. Kenise Murphy Kilbride: "Senior Immigrants Speak About Abuse." At World Elder Abuse Awareness day lecture, June 15, 2010, Guelph, ON.*

- **Dependency** – Can be intensified if a senior faces other challenges such as language and cultural barriers.

*Independence [is] gone once they live in Canada. The seniors raised and guided their children; now their children want to rule them; ...when they spend money on [the seniors], they make them feel guilty.....Now we must depend on our child; this hurts*

*our feelings. In the Arabic culture this makes you feel shameful. Whatever our child wants, we must do, since we are living off their money now.*

- *Male Arabic speaker, Excerpt from Power Point presentation given by Dr. Kenise Murphy Kilbride: "Senior Immigrants Speak About Abuse." At World Elder Abuse Awareness day lecture, June 15, 2010, Guelph, ON*

- **Lack of transportation** – Being unable to communicate with bus and taxi drivers due to language difference adds to more broadly applicable issues such as mobility challenges, fear of getting lost, lack of transportation services, inability to drive, and the cost of available transportation services. In addition, some cultural taboos may prevent a senior from travelling alone or with an unknown/unrelated member of the opposite sex.

**In addition** to the factors discussed above, there are unique factors that can increase the vulnerability to abuse and impede service for the ethnocultural or immigrant older adult. These include:

- **Language** – Being unable to communicate in the language of service. Many seniors who immigrate late in life may arrive with limited or no English, increasing their risk of isolation and dependency on others.

*My mother is afraid to take the bus. One time she tried and the driver could not understand her. She cried in frustration at not being able to be understood. Now she doesn't go out.*

*-Female Arabic speaker, focus group participant, Project Wisdom, 2010*

- **Prioritizing family unity** or 'face' before personal wellbeing, cultural emphasis on family loyalty. For example:

*"There are social restrictions on our people; they don't want to tell you the secrets of their families."*

*– Uzbek speaker, focus group participant, Project Wisdom, 2010*

- **Lack of understanding or fear of the process/implications of reporting abuse**
- **Lack of understanding of cultures other than own** or fear of being misunderstood.

*"Sometimes we feel that the other person, having completely different background and culture, will not understand. So we don't even try"*

*– Punjabi speaker, focus group participant, Project Wisdom 2010*

- **Lack of culturally appropriate services.** For example, gender of service provider, language of service, availability of appropriate food, restrictions on timing and number of visitors in hospitals, day program activities that do not resonate with other cultures.

*"Once I was admitted to hospital. I found many Punjabi patients there. One of them had a serious cough and was very sick. One night she was coughing a lot"*

*and asked for water repeatedly but the nurse didn't answer. I had called the nurse and questioned why she wasn't answering, [I learned] that the nurse couldn't communicate with the patient due to the difference of language. The patient had lots of other problems including not eating properly because the food provided wasn't Halal, and the caregiver wasn't able to understand her faith. Services are available, but unfortunately people aren't receiving the benefits due to the presence of the barriers."*

*–Punjabi speaker, focus group participant, Project Wisdom 2010.*

- **Lack of faith in or understanding of available services.** For example, the following opinions were expressed in one of Project Wisdom's Arabic focus groups (2010)
  - *Service providers are just doing their job and don't take time to build relationships*
  - *Service providers treat seniors as if they cannot talk or do not have any opinions.*
  - *Service workers don't understand the perspectives of seniors from other countries.*

**Family Class Sponsorship** can also increase an older adult's vulnerability to abuse. See section 1.F for further discussion of Family Class Sponsorship. Some of the unique factors that can impact a sponsored older adult include:

- Lack of knowledge/understanding of rights in Canada – Many seniors who are sponsored as parents or grandparents have little to no knowledge of what life will be like in Canada or of their rights (Kilbride 2010, 2011)
- Dependency on sponsor(s) – including financial, emotional, and social
- Cultural and generational differences between senior and sponsoring family members – including sponsors themselves, their spouses and their children
- Financial difficulties within sponsoring family associated with available employment and affordable housing for immigrants as well as the financial strain of the sponsorship arrangement (see section 1.F for further discussion).
- Lack of available settlement services (including first-language case workers and other first language resources)
- Desire to avoid negative consequences of reporting abuse or sponsorship breakdown for the sponsor (For example: being prevented from sponsoring another family member, being obligated to repay amount of assistance collected by the parent/grandparent)

***What to do: Integrate new awareness into practice***

- **Clearly and simply explain the nature of your role**, your organization, and the nature of the service/ help you can provide. Be conscious of language barriers and lack of familiarity with the service system.
- **Clearly and simply explain confidentiality** - use plain language to ensure understanding as the senior may not assume that your conversations will be private. This may be particularly important for recent immigrants from areas where government or service officials are not trustworthy.
- **Plan to take more time than usual** to gather the details of each case. Remember that in addition to general reluctance to speak about abuse, there may be additional issues of language, lack of trust of service providers, unfamiliar practices, etc.
- As with all older adults, **go slowly to build trust**. Remembering that the senior's culture and immigration history/status will introduce added levels of complexity such as those discussed in sections 1.A and 1.B, including notions of family loyalty, distrust of social services, desire to protect reputation of the community and family, decision-making practices, priorities and values.
- **Respect the senior's wishes** – although this is necessary with any older adult, the risk of intercultural miscommunication and the senior's potential fear of being misunderstood make this an important point. For example, the senior may assume that by seeking help she/he will be pressured to leave the family; an action that she/he may consider worse than enduring abuse.
- **Avoid assumptions.**
- **Be willing to work more closely with family** – for seniors whose cultures emphasize family loyalty or prioritize group wellbeing before the individual, it may be more important to include family in your work.
- **Use certified, professional interpreters** - While family members or others may be more immediately available, the use of professional interpreters is absolutely vital to the quality and reliability of interpretation. See **Section 2: Working with Interpreters** for further discussion and details.
- **Connect with local settlement organizations** – These organizations have expertise in intercultural communication and familiarity with local ethnocultural communities. Liaising with a settlement counsellor will help to clarify cultural questions, immigration questions, and connect to interpretation services.
- **Ask about**
  - Immigration status
  - Migration history (has the senior moved around a lot before or after coming to Canada, and what were the circumstances/ reasons for those moves?)

- Senior's level of knowledge and understanding of her/his rights in Canada
- **Assure the senior that the sponsor cannot arrange to have her/him "sent home" (deported)**

### **Further Reading & Resources**

- Lithwick, Maxine, Myrna Reis, Michael Stones, Katherine Macnaughton-Osler, & Nadia Canderan. 1997. Working with Mistreated Seniors from Ethnocultural Communities and their Families: A Guide for Service Providers. CLSA Rene-Cassin/University Institute of Social Gerontology of Quebec. The Foundation for Vital Aging. Quebec, Canada
- National Advisory Council on Aging. 2005. Seniors on the Margins: Seniors from Ethnocultural Minorities. Papers on "[Seniors on the Margins,](#)" Minister of Public Works and Government Services Canada. Government of Canada
- Simpson, Anne R. 2005. Cultural Issues in Elder Mistreatment. Clinics in Geriatric Medicine 21(2): 355-364

### **1.E) Immigration, Family Class Sponsorship, and Abuse**

*I know when seniors are deciding to come here to live with their kids, they transfer all of their money to their kid's account. What happens when the senior gets here, the son or daughter takes advantage of him. They either use his money to open a business, and if the business fails he loses all his money, or they keep it and don't give him anything. I know when seniors are coming here, they're selling their home and all their belongings; therefore they have some money, but their kids tell them to transfer the money to their account because that works better in Canada. If the senior doesn't know his rights, he'll put all the money under his son's name.*

*– Male Arabic Speaker, Excerpt from Power Point presentation given by Dr. Kenise Murphy Kilbride: "Senior Immigrants Speak About Abuse." At World Elder Abuse Awareness day lecture, June 15, 2010, Guelph, ON.*

#### **Key concepts:**

- **Immigration:** The act of coming to live permanently in a foreign country.
- **Migration:** The movement of persons from one country or locality to another.

As noted above (in "A note on language"), the terms "ethnocultural senior" and "immigrant senior" are synonymous. However, the two categories do often overlap and there are specific issues related to migration (prior to or after immigration) and to the process of immigration and

settlement in a new country that can increase an older adults vulnerability to abuse and impact service provision. Consider the following points;

- **Migration history affects the individual and community now:** The process and circumstances of movement (of the individual, her/his family, and community) before and after arriving in Canada affects the senior's sense of self and ability to live and thrive in her/his new community. For example migration may have been voluntary or involuntary, displacement may have been short or long-term, it may have involved significant physical and/or psychological trauma, it may have had a lasting impact on relationships with family and others.
- **Circumstances & experiences in the country of origin affect coping strategies in Canada:** Factors such as social or political unrest, social divisions, level of education, and service systems in a senior's country of origin will affect how she/he evaluates her/his situation in Canada and the avenues that she/he chooses to pursue for help. For example, if government authorities and police were untrustworthy in the country of origin, a senior may be less likely to see representatives from a formal service agency as trustworthy and may therefore prefer to rely on informal networks of support.

### ***Types of immigration to Canada***

Immigrants can be broadly divided into two groups (Spencer 2009):

- Immigrants (including Sponsored Family Class, Economic, and other)
- Refugees (including Assisted, Sponsored, and Asylum).

Within these two groups, different types (or classes) of immigration carry different qualifying criteria for entry, rights, and responsibilities. The following discussion focuses on seniors who are **sponsored as parents or grandparents under the Family Class**. However, the above points about why immigration and migration are relevant to forming a holistic understanding of your clients' experience and situation and thereby coming to an appropriate intervention strategy are important to keep in mind for any immigrant. For a summary of various immigration categories in Canada, see <http://secure.vec.bc.ca/citizenship-immigration-terms.cfm>.

### ***What is Family Class Sponsorship?***

Canadian citizens and permanent residents are eligible to sponsor certain relatives to become permanent residents of Canada. Eligible relatives include: spouse, common-law partner, conjugal partner, dependent child (including adopted child), parents, and grandparents. There are two different processes for sponsoring family: one for sponsoring a spouse, common-law partner, conjugal partner and/or dependent children; the other for sponsoring other eligible relatives (including parents and grandparents).

Sponsored parents and grandparents accounted for 7.1% of all family class sponsorships in 2009 in Canada. **Out of all family class immigrants in 2009, 29.5% were 65 years old or more meaning that seniors comprised a total of almost 30% of family class sponsorships in 2009.** ([Citizenship and Immigration Canada 2009](#)).

Canadian citizens and permanent residents must apply to sponsor a family member and must meet various criteria including a minimum income cut-off. It is possible for more than one person (such as spouses, or an organization) to co-sponsor. If the sponsorship has been approved, the sponsor is legally committed to providing for the basic needs of the sponsored person for a particular term, referred to as the “undertaking”. In the case of sponsored parents/grandparents, that term of the undertaking is currently 10 years. The process of application to sponsor a family member is lengthy and can take up to several years to complete. Below is a summary of the rights and responsibilities of the sponsor and the sponsored parent/grandparent. **This information is intended for the general education of service providers working with older adults and is not exhaustive or authoritative.**

*Selected rights and responsibilities of the sponsor*

- To provide for the basic needs of the sponsored person (including food, housing, household necessities, clothing, fuel, utilities, and health requirements not provided by public health) for the duration of the undertaking (10 years for parents & grandparents).
  - Divorce, relationship breakdown, granting of Canadian citizenship, financial deterioration, or relocation DO NOT cancel out or change the obligations of the sponsor(s)
- To respond promptly to requests for help from sponsored person
- Cannot force Citizenship and Immigration Canada to remove the sponsored parent/grandparent from the country.

*Selected rights and responsibilities of the sponsored parent/grandparent*

- Is not entitled to any form of social assistance during the term of the “undertaking” (in this case, 10 years).
  - If experiencing abuse, the sponsored person can leave the sponsor and seek social assistance (see “Sponsorship Breakdown” below).
- Is not required to have the financial means to establish/support her/himself in Canada in order to be approved for sponsorship.
- In signing the Sponsorship Agreement, the sponsored senior promises to:
  - Make reasonable efforts to provide for self and family members
  - Ask the sponsor for help if she/he has trouble meeting basic requirements

- Cannot be forced to leave the country by the sponsor.

***Please note:***

***The above “rights and responsibilities” of sponsors and sponsored parents/ grandparents are not exhaustive or authoritative. They are meant as general education for service providers. For up-to-date and accurate information relevant to your client’s particular situation, it is recommended that you:***

- Contact a local **legal aid office** for information about how to get free legal advice in family violence and immigration cases. A form authorizing free legal consultation can often be accessed through agencies serving victims of family violence or elder abuse networks.
- Contact a **Settlement Counsellor** at a local immigrant settlement agency for advice specific to your client’s situation.
- Contact [Citizenship and Immigration Canada](#) for general rules pertaining to sponsorship and sponsorship breakdown.
- ***Consult with a legal professional specializing in immigration (fee for service).*** Listings of specialists can be obtained from provincial law societies (list of provincial societies available [here](#)). For Ontario, [Settlement.org](#) offers a wealth of relevant resources including a [list](#) of certified legal experts in immigration.

***What is “Sponsorship Breakdown”?***

“Sponsorship breakdown” refers to **when a sponsor cannot or will not provide some or all of the basic requirements for a sponsored family member to live in Canada during the Sponsorship period *and* the sponsored family member *applies for and collects* social assistance.** The sponsor is then considered to be in “sponsorship default” and must repay the government for the amount of social assistance collected by the sponsored family member. The sponsor is not allowed to sponsor anyone else until the full amount of this debt is repaid. Agencies responsible for recovery of this debt vary from province to province. For a listing of the

responsible agency in your province, contact Citizenship and Immigration Canada, or see Table 4 at this link: <http://www.cic.gc.ca/english/information/applications/guides/5196e10.asp>

### ***Sponsor cannot or will not support***

If a sponsor ceases to support the parent/grandparent but the parent/grandparent does not collect social assistance, this is **not** considered to be sponsorship breakdown. Special consideration is given in cases of abuse, where notifying the sponsor of the parent/grandparent's application for social assistance, or pursuing the sponsor to recoup the amount of assistance collected may endanger the parent/grandparent. The sponsored person will have to indicate the reasons for the breakdown and indicate that notifying the sponsor may endanger her/him further.

### ***Proving abuse to be eligible for social assistance***

The process by which the sponsored person must prove abuse before being eligible for social assistance can increase their risk of further abuse. In Ontario, the process of 'proving' sponsorship breakdown due to abuse requires providing documentation of abuse by a professional third party who is aware of the older adult's situation. For example, a letter from an acceptable professional such as a teacher, law enforcement officer, social worker, or social service worker would be acceptable. For further information about sponsorship breakdown see the [Ontario Councils of Agencies Serving Immigrants; Information for Sponsored Family Member\(s\)](#) and [Information for Sponsors](#).

### ***Why talk about Family Class Sponsorship and elder abuse?***

*How could [the grandfather] become homeless and the father not be punished? If you put yourself between the senior and their children who are the sponsors, and you talk to the senior and tell them to report your son because he's abusing you, [the senior] would rather die before reporting his own son. These are our ways, our cultural expectations. How do you expect him to leave to go to a shelter? That way he would be hurting his son. He'll bring a bad name to his son. He would rather hurt himself and cover up what he's going through so he doesn't hurt his son. (Male Arabic Speaker)*

*Excerpt from Power Point presentation given by Dr. Kenise Murphy Kilbride: "Senior Immigrants Speak About Abuse." At World Elder Abuse Awareness day lecture, June 15, 2010, Guelph, ON. Emphasis added.*

Seniors who come to Canada as Sponsored Family Class immigrants face a complex intersection of social, cultural, and legal factors that can increase their risk of abuse. The following are

examples of additional barriers to reporting abuse and accessing other services that may be faced by this group;

- **The documentation process required for proving sponsorship breakdown:** for many seniors who may be isolated, members of small ethnocultural communities, and/or facing language barriers the requirement of documenting abuse with testimonial from a third party may be a significant barrier to reporting abuse.
- **Lack of English:** Sponsored family class immigrants are not subject to the same language requirements as other immigrants. Many come to Canada with little or no English.
- Sponsors and sponsored persons may not fully understand or appreciate the significance of the **commitment involved in sponsorship**, their rights, or responsibilities
- **Differences in expectations of the sponsorship** can result in family tensions and increased risks of abuse. For example, a sponsor may expect that a parent will provide free childcare and housekeeping, while the parent may have no such expectation
- **Role reversal** in which senior family members are not afforded the status and respect they are accustomed to, leading to power imbalances within the family
- **Dependency:** Sponsorship of a parent or grandparent creates an extended period of dependency which increases vulnerability and the risk of abuse
- **Isolation:** Severe isolation can come from reliance on family for everything including basic necessities of life, social interaction, information, transportation, etc.
- **Financial strain** on family resources caused by sponsorship.
- **Cultural conflicts** between sponsored parents and their sponsoring families who may have absorbed and incorporated Canadian culture (become acculturated).
- **Lack of control over finances:** many sponsored seniors sell all their assets before moving to Canada and give their money to their sponsoring family in the expectation that they will be well cared for, this leaves them with no resources to draw on if sponsorship breaks down

**What to do:**

- Connect & consult with experts:
  - Consult with a lawyer who specialises in immigration to ensure that you and your client have complete information about the legal aspects of her/his situation (contact a legal aid office for information about free consultations in cases of abuse and immigration)

- Consult with local settlement agency to find out about existing supports/resources in your area
- Ask about
  - Migration history and circumstances in home country, before coming to Canada and after arrival in Canada
  - Immigration status – Legal issues to navigate will be different depending on immigration status. For example; a Canadian citizen or permanent resident will have a different set of legal concerns than a sponsored parent/grandparent under the Family Class.
- Ensure that the senior understands her/his rights in Canada (for example, that a sponsor cannot arrange for her/him to be deported if she/he reports abuse)
- If pursuing sponsorship breakdown, consult with Immigration authority or local settlement agency to ensure that proper steps are followed and adequate documentation is in place.

### ***Further Reading & Resources***

- Citizenship and Immigration Canada. Family Class; Sponsorship of parents, grandparents, adopted children and other relatives. Part 1: The Sponsor's Guide. <http://www.cic.gc.ca/english/pdf/kits/guides/5196E.pdf>
- Community Legal Education Ontario (CLEO) <http://www.cleo.on.ca/english/index.htm>
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- Ontario Council of Agencies Serving Immigrants (OCASI). Understanding A Family Class Sponsorship Breakdown
  - Information for Sponsored Family Member(s) [http://www.settlement.org/downloads/Sponsorship\\_Breakdown\\_Family\\_EN.pdf](http://www.settlement.org/downloads/Sponsorship_Breakdown_Family_EN.pdf)
  - Information for Sponsors [http://www.settlement.org/downloads/Sponsorship\\_Breakdown\\_Sponsor\\_EN.pdf](http://www.settlement.org/downloads/Sponsorship_Breakdown_Sponsor_EN.pdf)

- Shelton, Lois. 2009. Sponsorship Breakdown: useful information for people who need help when their sponsorship in Canada breaks down. (available in Spanish, Punjabi, Korean, Vietnamese, Traditional Chinese)  
[http://legalaids.bc.ca/assets/pubs/sponsorshipBreakdown\\_eng.pdf](http://legalaids.bc.ca/assets/pubs/sponsorshipBreakdown_eng.pdf)

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