



What fraud prevention strategies are in place to protect those with a learning disability from financial abuse and are they fit for purpose?

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Abstract:

This academic report aims to discuss what strategies are in place to protect those lacking capacity from fraud and are they fit for purpose. It will highlight strategies currently in place for fraud prevention and how effective they are to aid those lacking capacity in the detection and prevention of fraud. Lacking capacity is a term used by health professionals and relates to individuals who have been deemed under The *Mental Capacity Act (2005)*, to not have capacity to retain information. These individuals are sometimes known as the "invisible victim" due to society's stigma and lack of education, leaving them vulnerable to fraudulent activity.

Data was gathered through literature reviews and research. The depth of material found will determine the correlation between education and the prevention of fraud, and also how it can be changed to be accessible to all. Those lacking capacity are over looked when implementing fraud prevention strategies and whether those strategies are fit for purpose. Online research carried out by charities have also released their own data which can be easily accessed and analysed in relation to fraud, usually committed by relatives or those who are caring for them.

As a result of carrying out a literature review and research it became apparent that those who are deemed to be lacking capacity where over looked by the government strategies relating to fraud prevention, the responsibility of educating was accrued by family members and carers. Potential for a conflict of interests if it is in fact those individuals who are the offenders.

The government introducing visual aids and interpreters to help break down the communication barrier and take a more person centred approach

in educating individuals with fraud prevention strategies could be introduced with the possibility of reducing crimes such as financial fraud in immediate family environment.

Literature Review:

Through the years, those with learning disabilities have fallen victim to some barbaric treatment. They have been segregated and declared “lunatics”. Accounts in history have told how those with learning disabilities are treated like attractions to be ridiculed and determined “not fit for treatment” by the medical profession. In 1992, when a disabled character played a part in a soap opera, the view of the public in relation to those with learning disabilities began to change and in 2012 the first Paralympic Games were held (*A Disability History Timeline 2013*).

In relation to *The Fraud Act (2006)*, there are 3 categories. These are fraud by false representation, fraud by failing to disclose information and fraud by abuse of position. You can be prosecuted in a court of law for all of the above, each with their own sentencing guidelines. Fraud by abuse of position, which is the more relevant category when dealing with individuals with learning disabilities, can be seen as an individual taking the position as a healthcare assistant, only to exploit money from the individual they are caring for.

Nettlebeck and Wilson (2002) determined certain influences and variables need to be in place for criminal activity to take place, as shown in figure 1. Taking social psychological influences, situational/environmental factors, individual differences and interaction skills into account and observing the victim’s behaviour the offender will be able to establish the risk associated

with the crime they want to commit. *Ann Craft Trust – ACTing against abuse (2016)* suggest that financial abuse against those with learning disability predominately takes place in the victim’s home and is committed by a person known by the victim, whether it be a family member or a friend, therefore abusing their position.

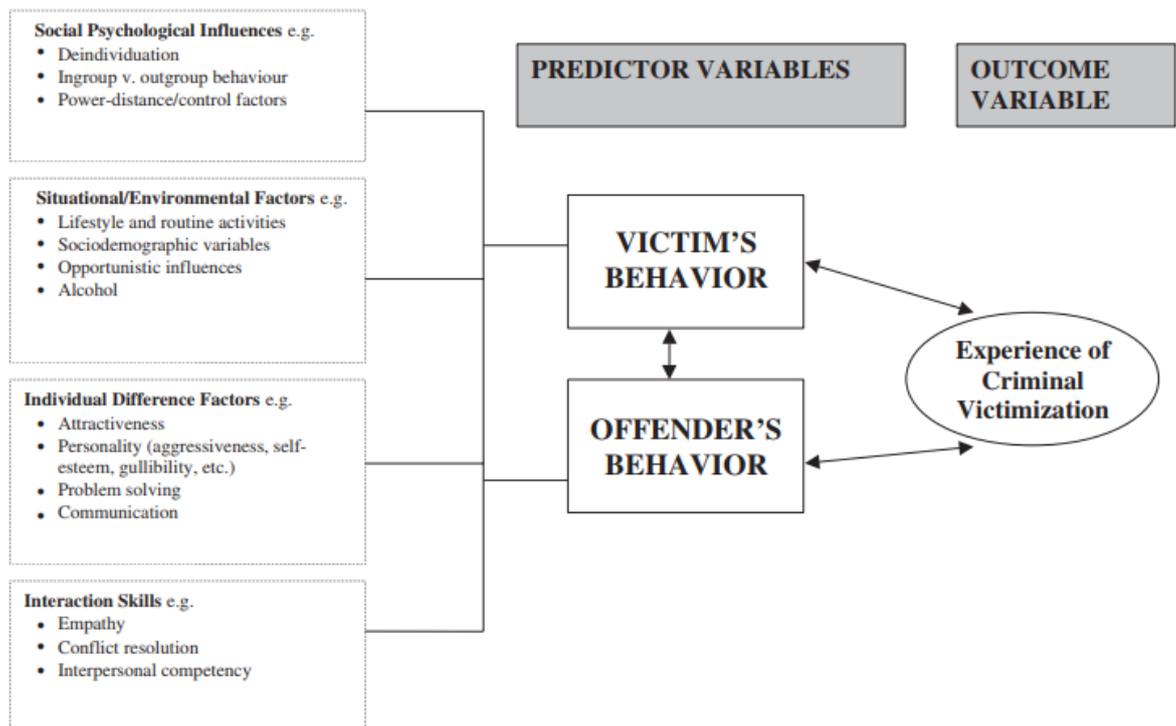


Figure 1: The Interactive Schema of Victimization (Nettlebeck and Wilson 2002)

A 9% increase in Fraud offences referred to National Fraud Intelligence Bureau by Action Fraud has been documented between September 2017 and September 2018 (www.ons.gov.uk). With fraud on the increase it is important that all members of the public are enabled to educate themselves against Fraud and therefore do not fall victim to fraudulent activity. People with learning disabilities are also at higher risk because they can be easily influenced. They may not have the capacity to ask the right questions and are more likely to take what they are being told at face value. *Jenkins & Davies 2011* states that those with learning disabilities should be

safeguarded from all abuse, including financial abuse categorised as fraud or theft. *Dalley et al 2017* argues that cases of financial abuse are hard to determine, especially when dealing with victim's lacking capacity. *Dalley* also argues that those lacking capacity may not be aware that they are victims of financial fraud, hence would not be able to report it. A survey carried out by *Ann Craft Trust – ACTing against abuse (2016)* highlighted the demand for guidance and advice for those with learning disabilities surrounding fraud. *Joseph Rowntree Foundation (1995)* published findings of their research that highlighted that those who suffer from a learning disability are at risk of “persistent, low level offending.” It also found that those who suffer from learning disabilities and brought cases to court, were not dealt with as efficiently if it were a complaint from a person who did not have a learning disability. Furthermore, the distress caused by such crimes and legal proceedings may cause an individual to terminate legal proceedings if the correct level of support is not offered. *Citizens Advice (2015)* has formulated a fact sheet that can be accessed by members of staff on productive ways in which to communicate with those who suffer from a learning disability. In this fact sheet it offers guidance on communication skills, both verbal and non-verbal and how you can prepare to deliver a session. It offers intelligence on how an individual with learning disabilities can manage their own money and how to detect any fraudulent activity. The fact sheet also highlight's that the use of pictures can be useful in some situations as some members of the public may be visual learners. *The Mental Health Foundation* recently suggested that those who suffer from learning disabilities are “invisible” in the Government crime statistics (www.mentalhealth.org.uk). *Williams (1995)* agrees with this statement and offers advice and guidance on how enforcement agencies can overcome this issue. The issue that the police and the courts are not equipped to deal

with prosecutions on behalf of those with learning disabilities was brought to attention by *Williams (1993)*. He suggests that reporting crime is low from those with learning disabilities and this may be due to the attitudes of those dealing with the complaint. *Scope (2014)* released some statistics on public attitudes towards those with disabilities. The fact sheet discovered that 67% of the UK public felt uncomfortable when talking to someone who was disabled, and 36% of the UK public held a stigma that those with learning disabilities are not as pro-active as those who do not suffer from a disability. 21% of the UK public disclosed that they would attempt to avoid interactions with someone who suffers with a disability whilst 85% of the UK public agree that those with learning disabilities do face prejudice. *Petersilia (2001)* stated that prosecutions against those who have committed a crime against a person with a learning disability are low due to the reliance of the testimony that has been given by the individual. *Kebbell et al., (2001)* argues that despite the stigma that those who suffer with a learning disability are not reliable witnesses in court, this is not actually true and individuals with a learning disability can be classed as a competent witness. Advice can be given to the judge so that inappropriate questioning is kept to a minimum. The judge has the right to terminate any cross examinations that are causing the witness to becoming distressed and has a duty to do everything in their power to reduce the stress related to the situation.

Method:

The source of the data analysed for this research was gathered from *The Journal of Adult Protection (Dalley et al 2017.)* Their findings were published within the journal *Researching the financial abuse of individuals lacking*

mental capacity. There was no other material available that demonstrated further research having been completed in this field, and therefore this is a noted limitation of this type of research.

The results of the paper were documented in tables as shown in Figure 2. Each table represented a different data set and this data set is what was used to create graphs.

Table 3¹⁷ Concluded referrals by type of risk (%), 2013-14 and 2014-15, England

Type of risk	2013-14 %	Numbers	2014-15 %	Numbers
Physical	27	32,775	27	34,385
Sexual	5	6,440	5	6,255
Psychological & emotional	15	18,700	15	19,760
Financial & material	18	22,270	17	21,935
Neglect & omission	30	36,090	32	40,885
Discriminatory	1	1,230	1	870
Institutional	4	4,750	3	3,965
Total number of referrals		122,140		128,060

[Figure 2: A Table documenting Concluded referrals by type of risk, 2014-2015, 2015-2016, copied from \(Dalley et al 2017\).](#)

The data was transferred over into an excel spreadsheet so that it could be represented in graphs and tables created within the software.

Type of risk	2013-14 %	2014-15 %
Physical	27	27
Sexual	5	5
Psychological & emotional	15	15
Financial & material	18	17
Neglect & omission	30	32
Discriminatory	1	1
Institutional	4	3

[Figure 3: A Table documenting Concluded referrals by type of risk, 2014-2015, 2015-2016, copied from \(Dalley et al 2017\) into Excel.](#)

The Data was then processed in Excel to produce the charts.

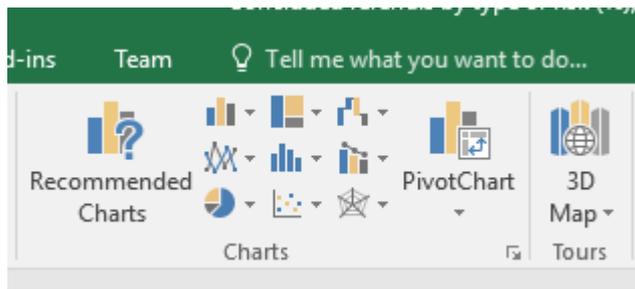


Figure 4: A choice of charts displayed in Excel.

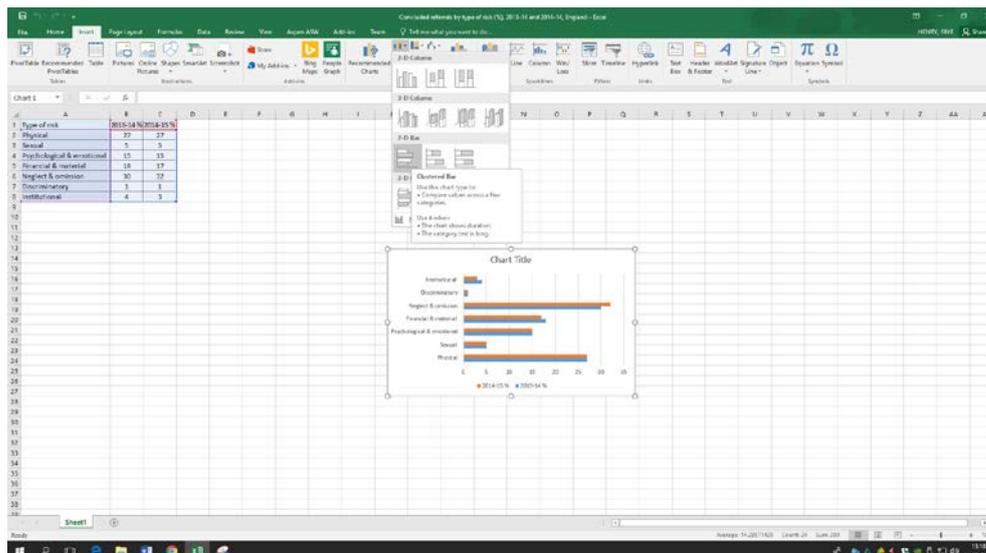


Figure 5: How to make a graph from data that is input into Excel.

The choice of graphs to represent the data for this journal was **2D Bar**.

Nind (2008) highlight's the difficulties of carrying out this type of research, such as obtaining informed consent. On the basis of completing questionnaires for research purposes, consent cannot be obtained from an individual lacking capacity as they are not deemed to be able to retain any information that is given to them. Those who lack capacity are automatically removed from research opportunities, which can be frustrating when they are the focus group you are attempting to research. *Nind (2008)* also comments on the importance of building up a therapeutic relationship with anyone with learning disabilities who has capacity, for the purpose of them being open and honest with their answers. This could be a lengthy process

that needs to be done over the space of a few years. Due to the time restrictions with this research project questionnaires were not deemed an appropriate research method.

Below is a table of assumptions and limitations from this research. Issues such as gaining consent, communication needs and desires and relying on family member/carers to assist in research are all issues that can arise when completing research on a vulnerable group of individuals.

[Table 1: Assumptions and Limitations.](#)

Assumptions and Limitations		
	<i>Assumption</i>	<i>Limitation</i>
<i>Gaining consent.</i>	<i>Cameron & Murphy (2007)</i> states individuals should be involved in a comprehensive assessment where their own ability to give consent is prioritised.	Public opinion, attitudes and behaviours of those who are completing the research have detrimental effects on how the individual engages with the interviewer. (<i>Goldsmith et al 2008</i>)
Communication	When communicating with an individual with a learning disability, steps can be made to make communication effective. For example, using language the individual will understand and be prepared to use different	Professional opinions and ways of working not changing and professionals may think they know the best way to communicate with an individual with learning disabilities. When the individual does not respond they are at risk of

	communication tools like pictures. <i>(www.mencap.org.uk)</i>	being called difficult and not involved in the study. <i>(The Royal College of Nursing. (2017))</i>
Relying on family members/carers to assist in research	Family members, friends, carers may be asked to help the individual with a learning disability complete research questions, or questions by the police.	As highlighted in <i>Dalley et al (2017)</i> research, people in certain positions are more likely to become offenders. Family members, friends and carers have more potential to commit crimes against those with a learning disability and therefore if they are speaking on an individual's behalf, the potential to cover their tracks is greater.

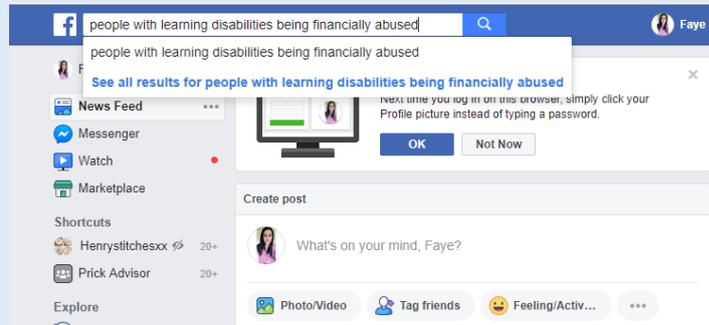
Content analysis was completed on **Orange 3.14.0 Bioinformatics Laboratory**. Using Orange, a word mine was compiled of using tweets and status's from *Twitter* and *Facebook* of the public's opinion on financial abuse against those with a learning disability. The process of completing a word mine is documented in Table 2.

[Table 2: How a word mine is completed.](#)

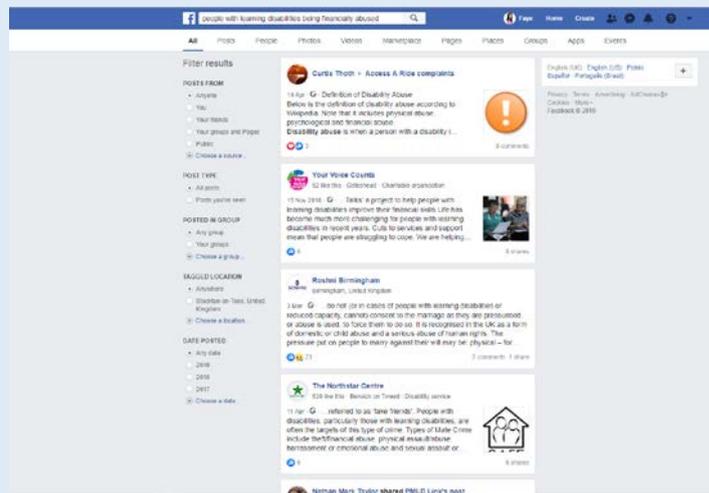
Steps	Method
Step 1: Collecting the data.	<ul style="list-style-type: none"> Data from <i>Facebook</i> and <i>Twitter</i> was analysed.

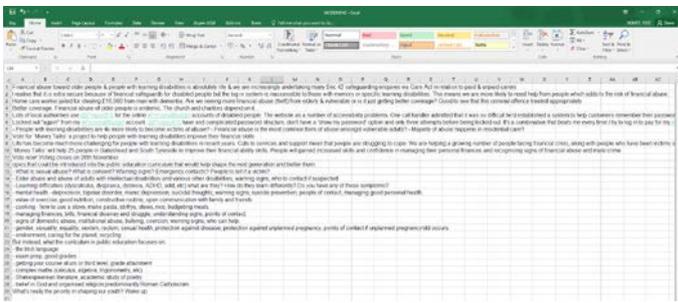
Step 2:
Facebook

- Facebook was used to gather more information on topics relating to people with disabilities suffering from financial abuse. A search was created in Facebook for “People with learning disabilities being financially abused”



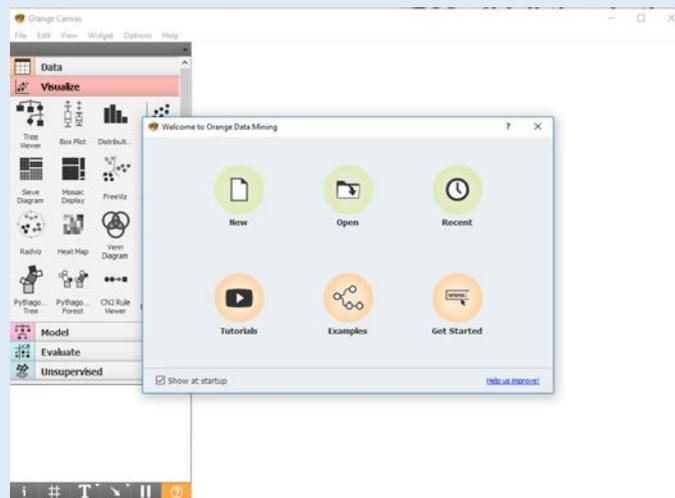
- These were the Results shown on Facebook surrounding the topic.



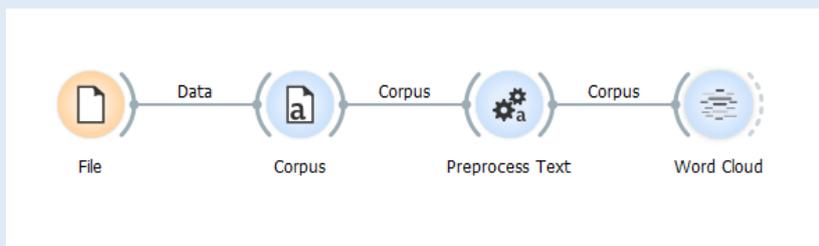
	<ul style="list-style-type: none"> The data was then copied and pasted into a Microsoft Excel document. 
<p><i>Step 3: Twitter</i></p>	<ul style="list-style-type: none"> The same process was completed for <i>Twitter</i>. The collective data was then input into an Excel workbook.
<p><i>Step 4: Excel Workbook</i></p>	<ul style="list-style-type: none"> Once all the data was collected into Excel, the file was then saved and prepared for analysis in orange software. 

*Step 5:
Orange*

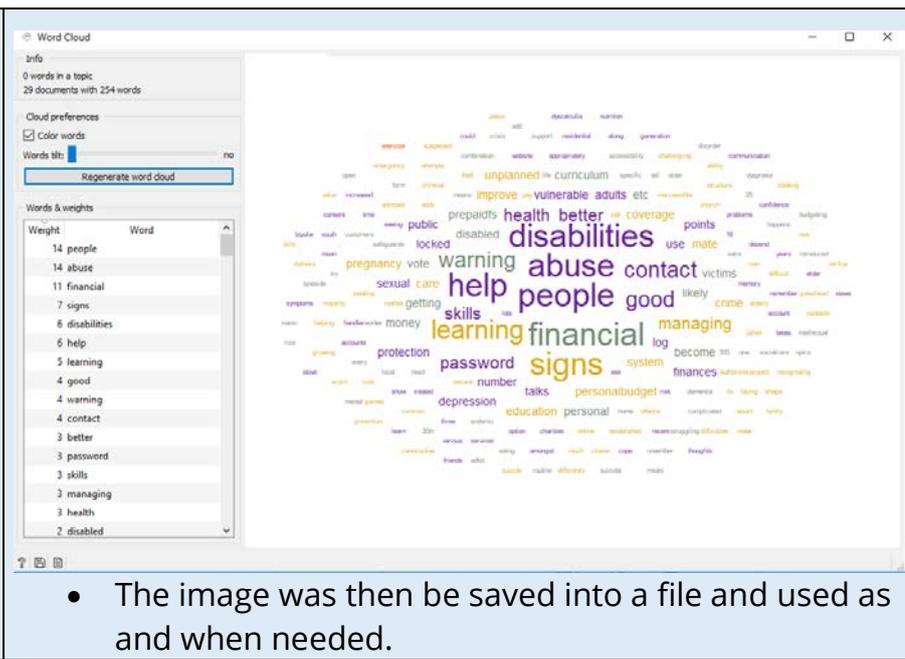
- The data was then opened in Orange



- *Data* and upload the chosen file that you have created.
- *Text Mining* and *Corpus*. Dragging the line from *File* to *Corpus* will join the content together.
- The process should be repeated for *Preprocess Text* (*Corpus* to *Preprocess Text*.)
- *Word Cloud* was then selected and a drag a line from *Preprocess Text* to *Word Cloud*. An example below of how it should look.



- *The Word Cloud* and the Word Mine were then generated.

	 <ul style="list-style-type: none"> • The image was then be saved into a file and used as and when needed.
<p><i>Step 6: Implementin g into your work.</i></p>	<ul style="list-style-type: none"> • The image will save as a PNG picture file and can be added into your work as any picture would be.

Results:

Williams et al (2007) states education can be given to those who suffer from a low to moderate learning disability on how to handle their own money. The City of Bristol College offers a further education course which covers a

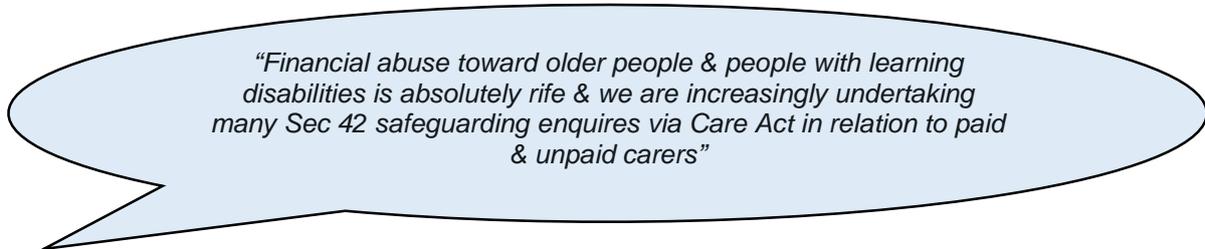
range of basic tasks surrounding money. Individuals who complete the course are learnt how to recognise coins, how to count change correctly, how to recognise the prices or various products that they would need to buy on a day to day basis, how to complete a purchase if you are going into a shop and also how to manage your money on a day to day basis. This is important as when individuals are in charge of their own finances, they are less likely to fall victim to financial abuse. *Kent County Council (2015)* released a Financial Abuse Toolkit. The toolkit highlighted that as an individual with a learning disability you are more at risk of being financially abused in your own home and by an individual that is known to you. *The Money Advice Service (2013)* stated for those with a learning disability managing their own money, the risk of financial abuse is significantly reduced.

Statistics gathered from The Office for National Statistics did highlight a 9% increase in Fraud offences between September 2017 and September 2018. (www.ons.gov.uk). There is a higher presence of the public talking about matters of financial abuse on social media that could link with this increase. This could signify better press coverage of matters of financial abuse.

Below is a word mine that was created using comments from the general public on Facebook and Twitter in regards to those who are vulnerable falling victim to financial abuse.

[Figure 7: A potential strategy introduced by "Money Talks" to help reduce the risk of financial abuse.](#)

Another member of the public wrote this relating to financial abuse of those with learning disabilities, in their opinion, being on the increase.



"Financial abuse toward older people & people with learning disabilities is absolutely rife & we are increasingly undertaking many Sec 42 safeguarding enquires via Care Act in relation to paid & unpaid carers"

[Figure 8: A member of the public's opinion on financial abuse of those with learning disabilities and it being on the increase.](#)

Another member of the public shared this news article, commenting the fact that *"this"* criminal offence is *"treated appropriately"*.



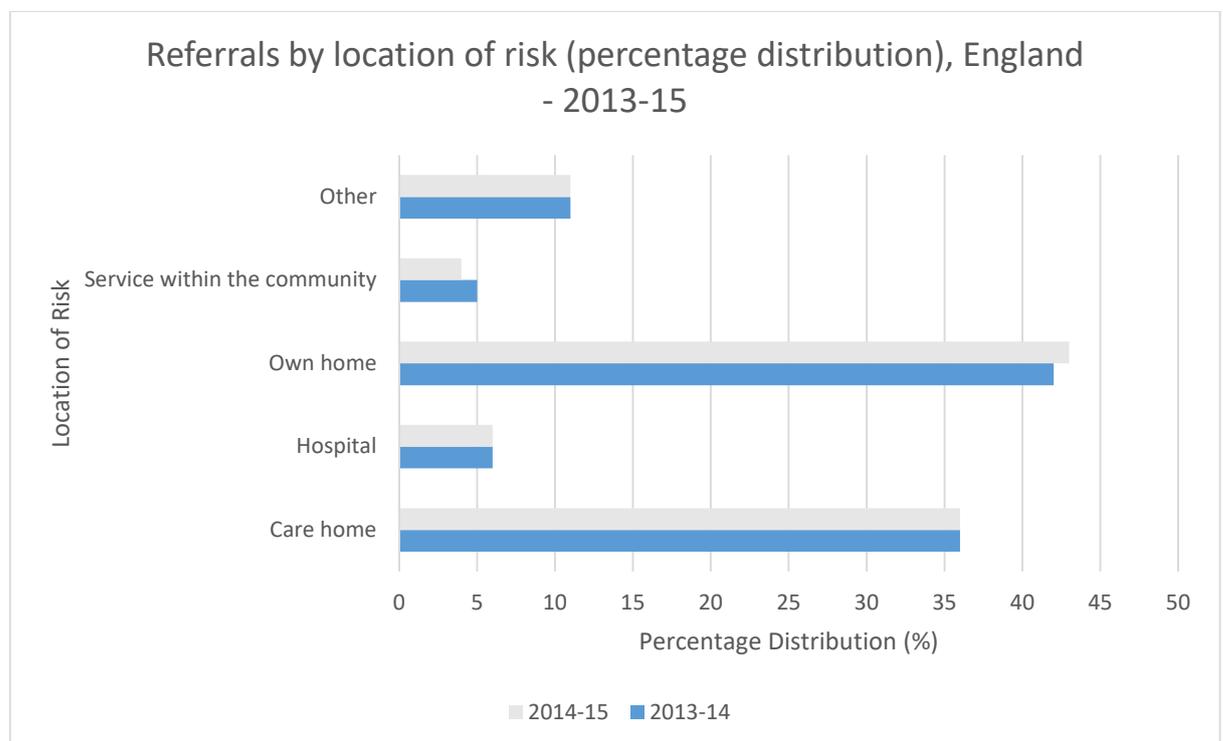
"Home care worker jailed for stealing £16,500 from man with dementia. Are we seeing more financial abuse (theft) from elderly & vulnerable or is it just getting better coverage? Good to see that this criminal offence treated appropriately"

[Figure 9: A member of the public commenting on a concluded case, suggesting that criminal offences against those who are vulnerable are now getting better coverage and are being taken much more seriously than previously](#)

Disability Rights Uk (2012) carried out research asking members of the public whether they believed that negative stories regarding those with learning disabilities is increasing or decreasing in national press. 76.5% of those asked stated that they believed coverage of negative stories is

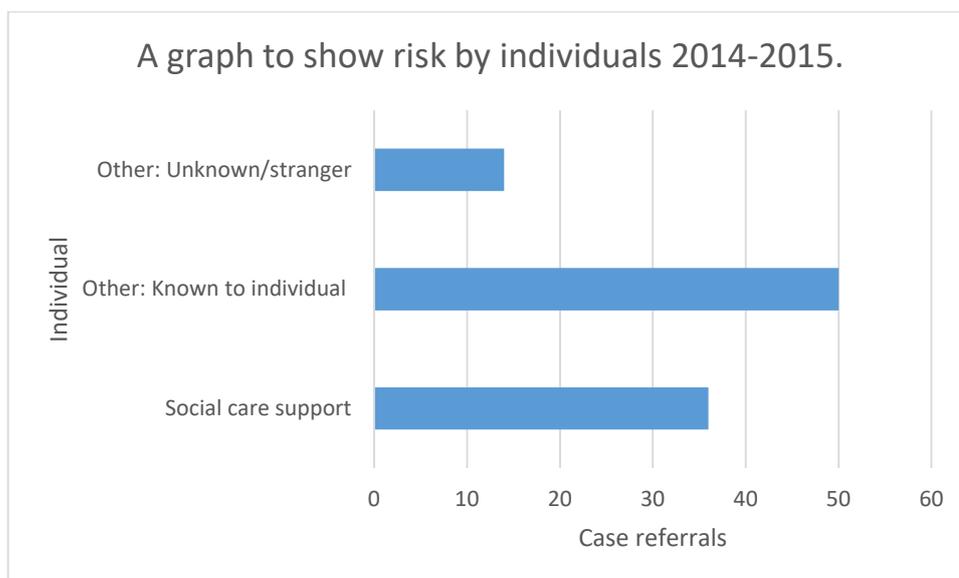
significantly increasing and 17.2% stated that it was increasing somewhat. 3.7% of those asked stated they believed it hadn't changed and none of those asked believed it was significantly decreasing. This supports the view that individuals with learning disabilities are getting better coverage in the press, however the coverage seems to be mostly negative. *Inclusion London (2011)* also supports this claim and states that individuals with learning disabilities are sometimes made to feel threatened by the negative press coverage. This could lead to individuals not wanting to report crimes of financial abuse as to avoid ending up being another statistic or news story that could bring unwanted attention to the individual.

The findings of this research were gathered from the data that was collected in the method (*Dalley et al 2017*). The limitations of this data is that it only represents data that was gathered from 2013-2015.



[Figure 10: A graph to show referrals by location of risk \(percentage distribution\) in England from 2013 – 2015.](#)

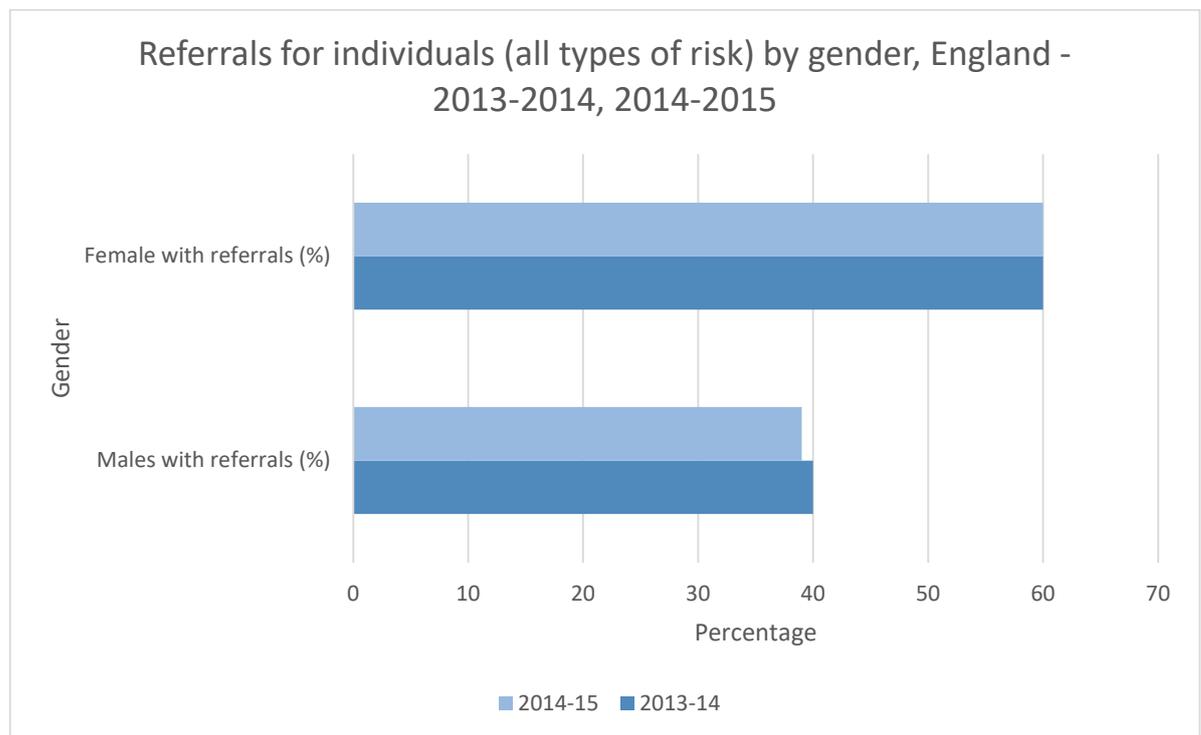
The graph above illustrates that individuals lacking capacity are more likely to be a victim of financial abuse in their own homes or in a care home setting. 42% of referrals made for those lacking capacity from 2013-14 where in an individual's own home, and 43% from 2014-15. This is a 1% increase. 36% of referrals made for those lacking capacity from 2013-14 and 2014-15 where in the care home setting. Referrals made within the hospital settings, community settings and other settings where significantly less. *Fyson (2009)* argues that a potential cause for this is due to lone working and the lack of supervision that care workers, family and friends are sometimes given working within an individual's own home, thus leading to the vast amount of referrals made. Strains on staff and staff shortages could also lead to the lack of supervision within a care home setting.



[Figure 11: A Graph to risk by individuals 2014-15.](#)

The graph above illustrates that as an individual with learning disabilities you are more likely to become a victim of financial abuse by someone who is known to an individual. Professionals in the social care/ support sector also pose a risk. This could be care assistants, support workers or the nursing staff that are in control on your care. As the risk is more prominent

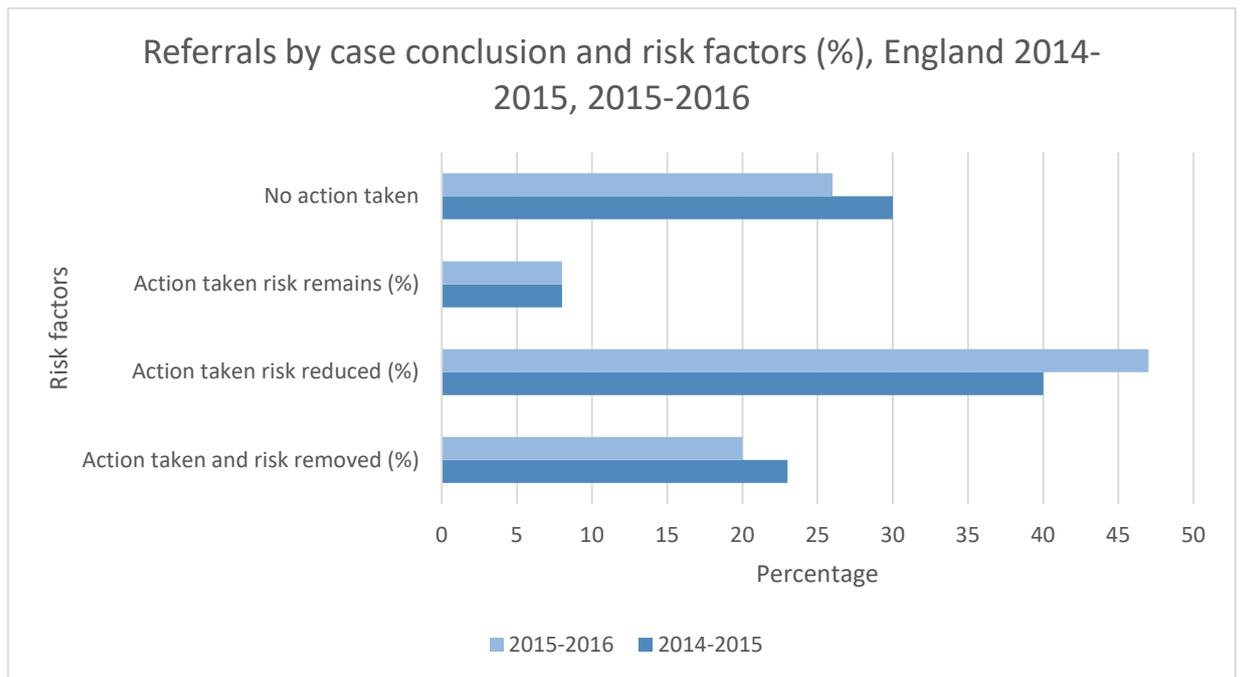
from other individuals known to the victim, this could indicate family members or friends also pose a risk of financially abusing those with a learning disability. *Association for Real Change (2012)* discusses “*Mate Crime*”, where an individual with learning disabilities is befriended by a member of the public and enters into a friendship for the sole purpose to exploit or abuse the person, usually for financial gain.



[Figure 12: A graph to show referrals for individuals \(all types of risk\) by gender, England - 2013-2014, 2014-2015.](#)

The table above illustrates that between 2013-2014 and 2014-2015, 60% of referrals for individuals for all types of risk were women. *Curry et al (2001)* states that as a woman you are at increased risk of abuse due to the fact that women with learning disabilities are sometimes of a low-income due to being unemployed as the demands of working may be too much for an individual suffering with a learning disability. This could also lead to social isolation and therefore would make individuals in these circumstances

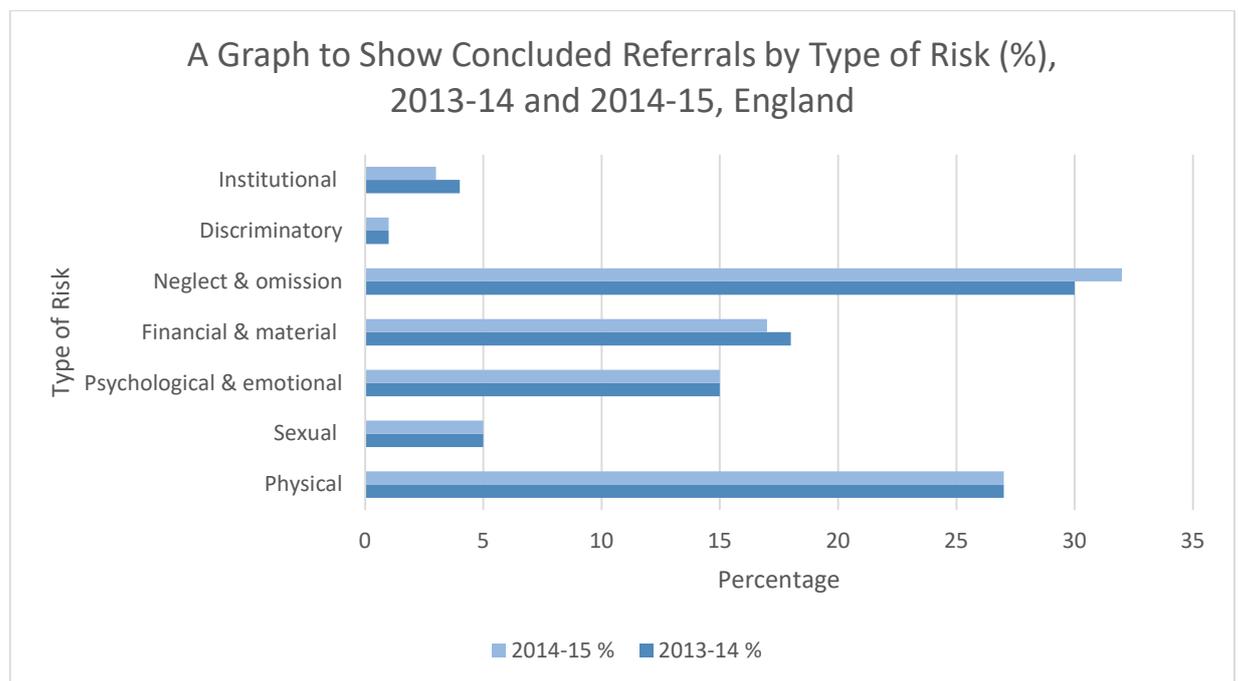
more prone to “mate crime”. *Williams (1993)* states that women are less likely to drive than men, and therefore there is an increased risk of isolation with women. *Williams (1993)* also states that women are less likely to go out on their own into the community and therefore will have most of their interventions in their living setting, whether this be their own house or their supported living setting.



[Figure 13: A graph to show referrals by case conclusion and risk factors \(%\), England, 2014-2015, 2015-2016.](#)

The graph above illustrates actions taken against referrals. 23% of referrals made in 2014-2015 have the risk removed, but this number drops in 2015-2016 to 20%. 8% of referrals seen the risk remain in both years and in 2014-2015 30% of referrals seen no action taken. This number does decrease to 26% in 2015-2016. 47% of referrals in 2015-2016 seen that action was taken and the risk was reduced. This does indicate how referrals for individuals with learning disabilities could be improving, however there is still a large percentage of referrals that have had no action taken.

The Guardian Newspaper (2011) released an article stating that police are failing those with a learning disability. The article states that those with a learning disability reporting a crime are not getting the level of interaction that is needed, thus leading to cases being dropped and no further action taken. The article also stated that those with a learning disability are less likely to report a crime due to the level of stress it may cause and the lack of appropriate support.

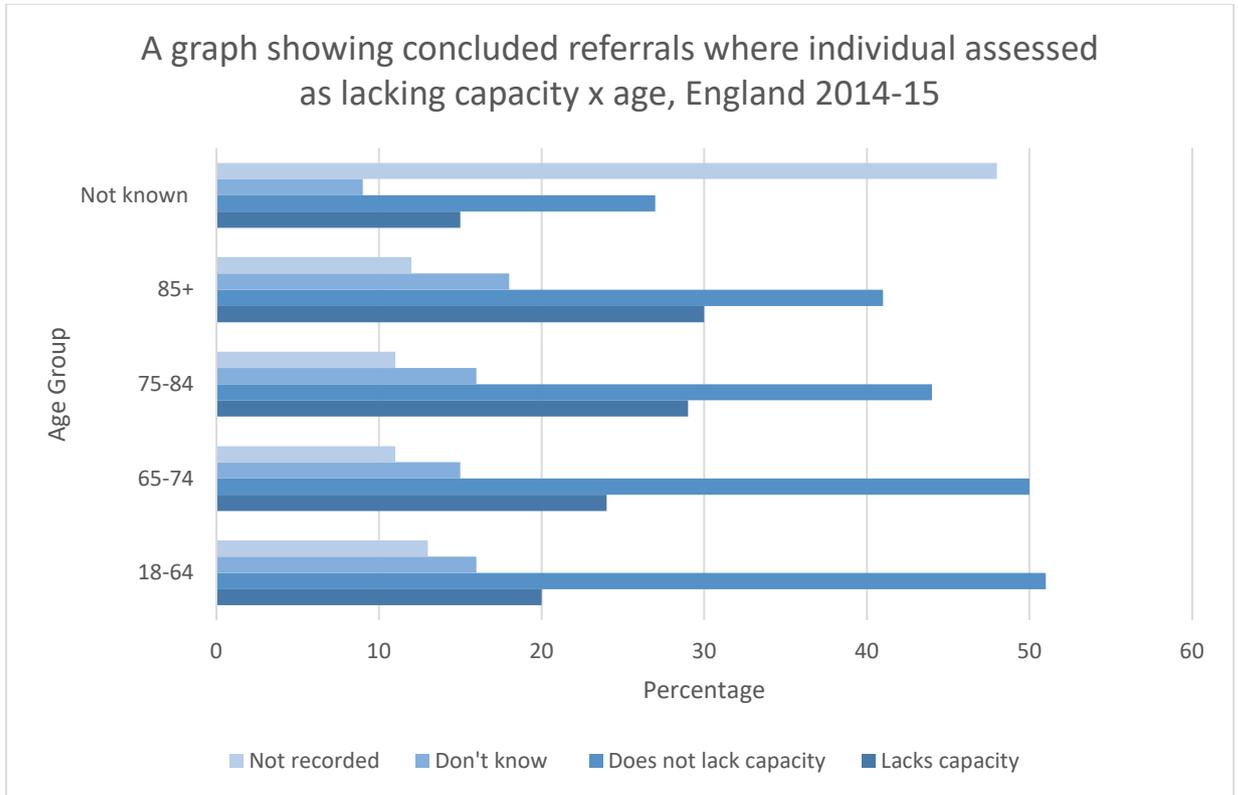


[Figure 14: A Graph to Show Concluded Referrals by Type of Risk \(%\) 2013-2014 and 2014-15 in England.](#)

The graph above illustrates the number of concluded referrals by the type of risk. In 2013-14 18% of concluded referrals made where for financial and material abuse. In 2014-15 this decreased by 1% to 17% of referrals.

Northway et al (2005) states that there have been long standing issues with research completed surrounding those with learning disabilities and how they fall victim to abuse, and research in this particular area only started being completed in the 1990's. They also stated that the number of referrals

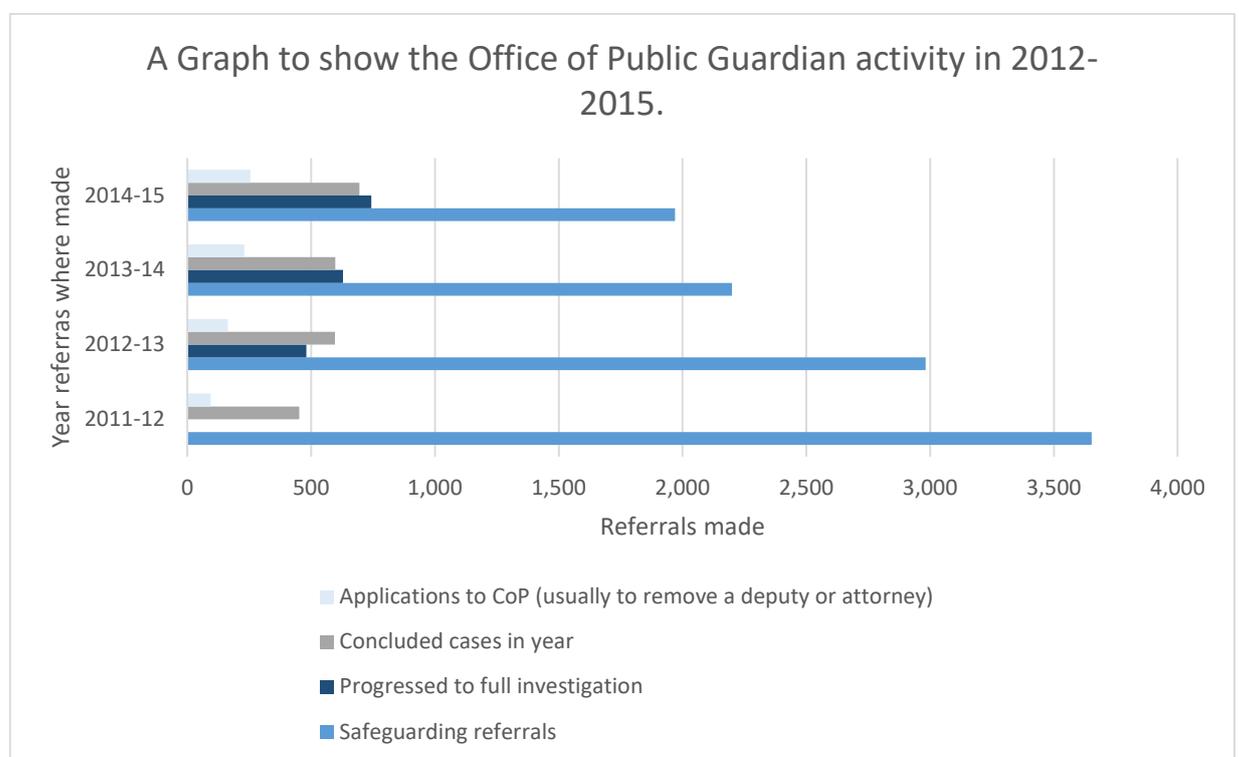
could be higher as the extent of poor practice in identifying and responding to claims of abuse against those with learning disability.



[Figure 15: A graph to show concluded referrals where individuals assessed as lacking capacity x age, England 2014-15](#)

The graph above illustrates concluded referrals where individuals assessed as lacking capacity in different age groups. 20% of concluded referrals documented in the age group 18-64. 30% of concluded referrals were documented in the age group 85+. This is a 10% increase of concluded referrals of those in this age group lacking capacity. 24% of concluded referrals documented in the age group 65-74 and 29% in the age group 75-84 demonstrates a trend of the risk of abuse increasing with age. However, 18-64 is a larger data set than the other categories, therefore it cannot be determined at what age the risk of abuse will become more prominent. The issue arises with the not known section of these results, as this could be

down to poor practice in completing referrals and not taking all details from individuals, especially those with learning disabilities. *Smith (2018)* argues that the risk increases with age as the prejudice stands that those who are older have a decline in their mental health and become confused, also arguing older generations are becoming dependant on other people to complete tasks of daily living. Thus, could potentially not notice if small amounts of money were going missing.



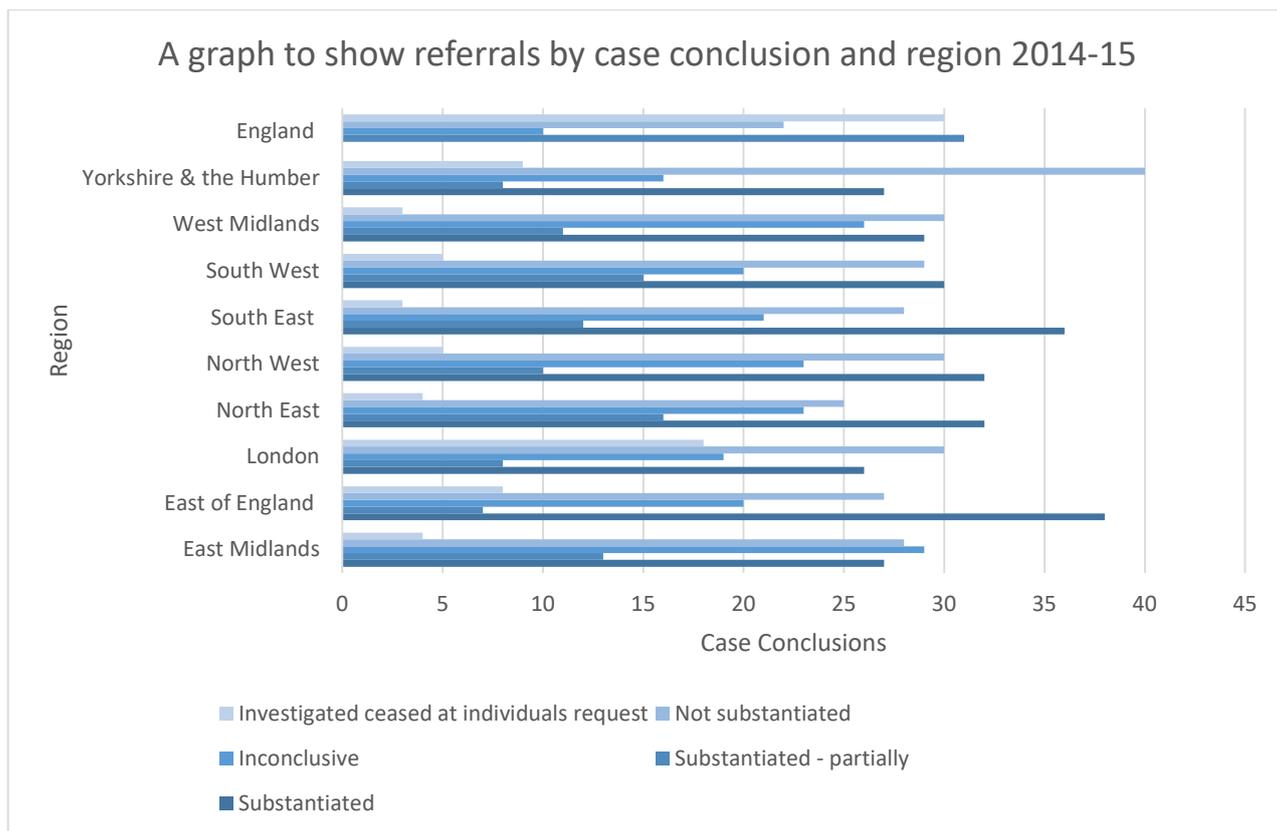
[Figure 16: A graph to show the Office of Public Guardian activity in 2012-15.](#)

“The Office of the Public Guardian (OPG) protects people in England and Wales who may not have the mental capacity to make certain decisions for themselves, such as about their health and finance.” (www.gov.uk)

The graph illustrates a decrease in the number of safeguarding referrals and a steady increase in the number of cases that progressed to a full investigation. The application to CoP, usually to remove a deputy of

attorney has also increased from 2011-2015. Deputies and attorneys are trusted individuals that take control of property and financial affairs for those who lack capacity. They hold responsibility for paying the individuals bills and making sure that they get their benefits or pension paid into their account. This is usually a parent, family member or a close friend.

(www.gov.uk). *Keywood & Flynn (2006)* argue that when there are no family members present that can take on the responsibility of an individual's finances, then carers and support workers could take it upon themselves to act as a deputy or attorney. This could increase the risk of financial abuse. With the increase of applications to CoP to remove a deputy or attorney increasing and the number of referrals progressing to a full investigation, this could mean that the public are more educated in relation to dealing with those with a learning disability and are reporting more instances where they have been financially abused. These figures are promising that public opinion and attitudes are changing for the better.



[Figure 17: A graph to show referrals by case conclusion and region 2014-15.](#)

When looking at the number of concluded cases where the investigation was ceased at the individual's request, London held the most instances by having 18 investigations ceased. This could be a demographic issue with there being a higher population of people living in London, where as places such as the South East and West Midlands only having instances of 3 investigations ceased at the individuals request. However, the number of inconclusive case conclusions in the South East and West Midlands is higher than what is represented for London. This could indicate that the population for London are more educated on how to deal with individuals with learning disabilities in court or have a wider understanding on how to safeguard those who are vulnerable to risk. *Kemp & Mosqueda (2005)* hint that population can have a direct link to the risk of abuse. They suggest you could be more at risk in larger populations as supervision of individuals who are caring for the vulnerable may be strained. Smaller populations may be

better managed, however sometimes not as well educated and sometimes implementation strategies may be delayed.

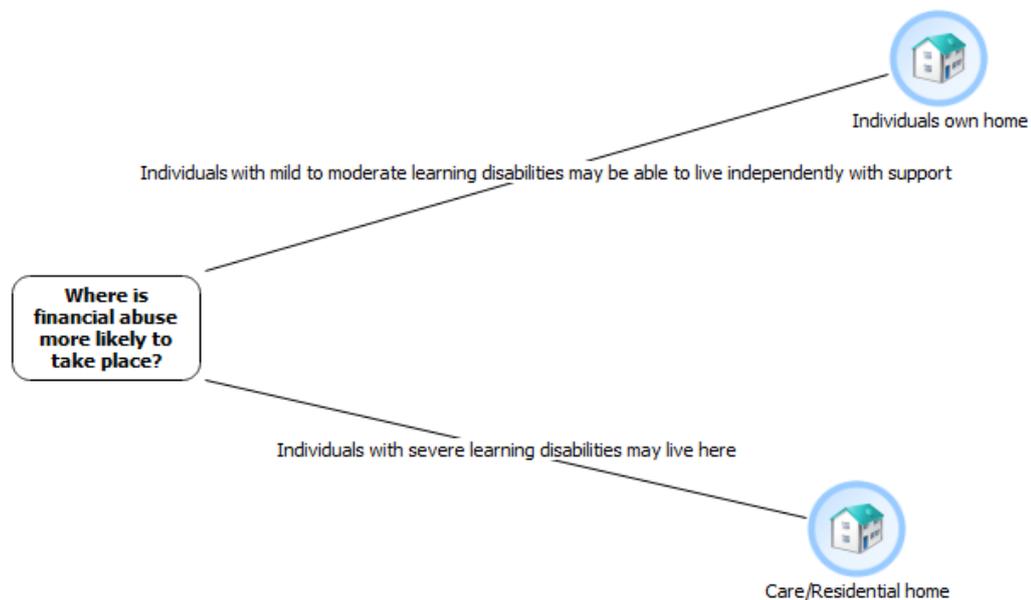
In those cases where individuals with a learning disability has made an allegation to the police and it has gone to court, and appropriate adult is an effective way in which barriers between professionals and the individual can be broken down. An appropriate adult is an independent member of the public that is responsible to help and individual with learning disabilities help to understand and process the questions that they may be asked. They can help with the more efficient way in which questions can be asked to the individual to obtain the information needed and can also determine when they feel that the individual is getting anxious or stressed and may need a break. Noticing these signs will help the process of making a complaint to the police and easy and straightforward as possible with the least amount of stress to ensure that the individual can communicate exactly what has happened to aid prosecution (*Bowden et al (2011)*).

Discussion:

This research has been completed to raise issues with fraud prevention strategies and how they are delivered to those with a learning disability. The question raised by this research paper is are they fit for practice when it comes to individuals with a learning disability and who delivers the information of fraud prevention to these individuals.

The limitations of this research are that there was not a lot of data surrounding this issue. The data that was available was not recent data and therefore the statistics could have changed from when the data was collected. Most of the results focus on the years 2013-15 and the trends

identified in this data may be more significant if done again and for more recent years. They may also support any findings of this research article.

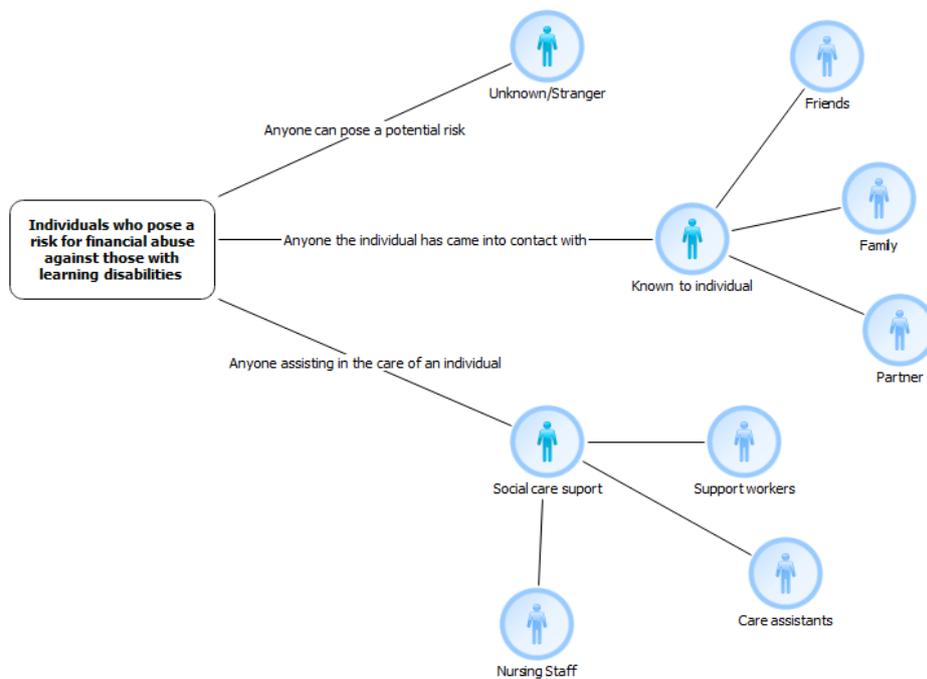


[Figure 18: Illustrating where an individual with learning disabilities is more likely to fall victim to financial abuse.](#)

Disability Rights UK (2018) state that a growing pressure from society to live independently in supported living settings or their own home is putting them more at risk of financial abuse. Those individuals with severe learning disabilities will usually reside in residential homes, however this does not eliminate the risk of financial abuse. The data represented in *Figure 18* illustrates that you are more at risk of being a victim of financial abuse if you are in your home or a care home setting.

Individuals with learning disabilities seem to become a target for financial abuse due to the stereotypes that are held by the members of the public that they do not have capacity to report a crime. Individuals with learning disabilities can find themselves isolated from the outside world and

community they are living in, and therefore will not find it easy to confide in someone if they have any issues surrounding their finances. Issues also arise with if individuals with learning disabilities are educated what financial abuse is, and would they be able to understand prevention strategies and understand the procedures in reporting a crime? (www.disabilityliving.ca).



[Figure 19: Illustrating what individuals pose a risk to those with a learning disability for financial abuse.](#)

The European Commission (2005) attempted to try challenge the financial abuse of those with learning disabilities. They stated that they were going to this by working closely with those who are working with individuals with learning disabilities. As this research suggests, you are more likely to fall

victim to financial abuse from individuals known to the victims. If the responsibility of educating those with learning disabilities is always put on the family members, friend and carers of these individuals then this could become an issue. Who can enforce whether this information has been relayed? Teaching those who have a duty of care does not necessarily mean that those individuals will act in the best interest of those in their care and help protect them from financial abuse.

Citizens Advice (2015) put emphasis on educating those with learning disabilities directly and offer a helpful guide on how communication barriers can be broken down so that those with learning disabilities are able to retain as much information as possible. Educating those with a learning disability directly, without putting the responsibility on any person's that could pose a risk, may reduce the risk of financial abuse as individuals are then capable of being in charge of their own finances where appropriate.

As previously mentioned, when individuals with learning disabilities do make complaints to the police they are sometimes not taken seriously and sometimes the case is dropped before it is heard in court due to the stress that it is causing an individual. This could be due to lack of proper support, however *The Department of Health (2011)* have released a fact sheet that is classed as an "*Easy Read*". It contains pictures and a lot of friendly smiley faces to try and ease anxiety. It also contains a minimal amount of writing, and the writing is printed in large text in clear font to assist in easy reading. This document should be available for all individuals with learning disabilities to make the court process less terrifying. Professionals in the justice system should also be educated in the use and benefits of an appropriate adult. This will both make the process easier for those with a learning disability but will also aid communication between the police

officer who is trying to gather intelligence and attempting to make a complaint.

This research also indicates that you are slightly more at risk of falling victim to financial abuse if you are women suffering from learning disability. Those with a learning disability are deemed not to be able to make decisions for themselves and therefore cannot agree to any financial transactions that may take place as a product of fraud. Those with a mild to moderate learning disability who can make decisions may fall victim to something called undue influence. Undue influence is where an individual is unduly influenced by someone else by the means of financial gain (returnonideas.co.uk).

A SARA Model can be introduced to help understand what has been done and what can be done in relation to financial abuse against those with a learning disability.

[Table 3: A SARA Model in relation to financial abuse against those with a learning disability.](#)

SARA Model	
<i>Scanning</i>	From the data that was gathered from <i>The Journal of Adult Protection (Dalley et al 2017)</i> , whose findings were published within the journal <i>Researching the financial abuse of individuals lacking mental capacity</i> , the following issues were highlighted. An individual with learning disabilities is more likely to fall victim to financial abuse if you are a women that abuse is more likely to happen your home setting. This could be you own home address or a supported living facility where you are supported by care staff. The risk is high in

care home settings also. The responsibility to educate individuals with a learning disability against fraud is given to individuals who care for those with a learning disability. This is an issue because this research shows that you are more likely to be financially abused by someone that you know. This could be a family member or a friend. Those who suffer from a learning disability are also at risk of falling victim to “mate crime”, where a member of the public will befriend an individual with a learning disability for financial gain.

The attitudes of the police and other professionals has an impact in the way in which a crime is reported, and this research has highlighted that this may be one of the reasons as to why crimes of financial abuse against those with a learning disability is poorly recorded and reported.

Short Term Consequences	Long Term Consequences
Financial abuse can have a short-term consequence of leaving an individual upset and hurt. They may not understand why this has happened to them and may damage their self-	For those who have been able to take vast amounts of money from an individual with a learning disability this could have a damaging effect on said individual's life. They could be out of pocket for

	<p>esteem and also their confidence. If a victim of “mate crime” they may mourn the loss of a friend without full understanding as why.</p>	<p>a long period of time if the offender cannot pay the money back immediately. It could have a detrimental effect on an individual’s mental health and could shape the way in which they form relationships for the foreseeable future.</p>
<p><i>Analysing</i></p>	<p>Understand the reasons why and how an individual can commit such crimes against an individual with a learning disability may help in the way of removing the possibility of it happening again. This research has highlighted the following possible reasons:</p> <ul style="list-style-type: none"> • For those with a learning disability that are deemed not able to not have mental capacity, then they will not understand the concept of financial abuse and may not understand the concept of money. This means that they are at risk of falling victim to financial abuse unless proper audits are put in place to monitor money. Those with a severe learning disability and lacking capacity may live in a residential setting or at home with family or carers. Both lead the risk to financial abuse and therefore steps must be taken to reduce this risk. Their money may be in financial protection, however risk’s still apply. • For those with a mild to moderate learning disability, they may have some control over 	

their money and may only need a little assistance. This also poses a risk as if they only have a vague understanding of money, then individuals can be easily manipulated for financial gain. The responsibility of educating individuals with a learning disability falls on the people in their immediate care most of the time, and this also increases the risks of financial abuse as you are educating the offenders on how to get away with it.

- Those with a learning disability are more likely to be financially abused by someone that is known to them. This could be a friend, a family member or carer. If this is the case then the individuals that are meant to be safeguarding those with a learning disability are the ones who are committing the offence, and therefore it is less likely to be reported to the police.
- The reporting of crimes of financial abuse against those with a learning disability is low due and could be due to the fact that police attitudes towards those with a learning disability is not as good as it should be. Those with a learning disability are not supported the way they should be when making a complaint to the police and sometimes the use of an appropriate adult is not used. This could be the basis as to why many court cases are dropped and no further action is taken. Court is a daunting process for anyone and every individual should be supported correctly

	<p>through the process. Those with learning disabilities also may not want to take any further action due to them having anxiety around the whole process.</p>	
<p><i>Response:</i></p>	<p><i>Short Term Responses:</i></p>	<p><i>Long Term Responses:</i></p>
	<ul style="list-style-type: none"> • Social workers can be involved to complete a monthly money audit for those who are living independently, and managers in the care home or supported living setting can also complete this to ensure any irregularities with an individual's money can be highlighted then the correct procedures followed. • Implementing paper work to illustrate when money is taken out and put back in and having (where 	<ul style="list-style-type: none"> • Educating those with a learning disability and capacity on financial abuse and what can be done to prevent it. Basic knowledge of financial abuse may reduce the risks. Have a poster printed with pictures that can be placed around their home that documents indications of financial abuse and that individuals should look out for. If an individual is in a care home setting then the care home should be enforcing the fact

	<p>appropriate) two members of staff sign for transactions. An individual may have a locked money tin where they are the holder of the key. Their money can be kept inside this and opened when needed with the said paper work completed at the time to ensure all transactions are documented.</p> <ul style="list-style-type: none"> • If an individual is living independently, have a signing in book as to let other people now who has been visiting the individual and how long for. 	<p>that they take financial abuse very seriously and perpetrators will be prosecuted.</p> <ul style="list-style-type: none"> • If an individual with a learning disability lives on their own, installing a camera may be a beneficial way in which to reduce the risk of financial abuse. If monthly money audits are implemented, then this could pin point exactly where the missing money has gone and who took it. Physical evidence such as camera footage may reduce the possibility of a trial as it is concrete evidence that an individual has been in the home.
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		<ul style="list-style-type: none"> • Training all enforcement agencies on communication skills when dealing with an individual with a learning disability may help increase the number of complaints, as the process may be seen to be less alarming and distressing. • Appropriate adults to also be appointed immediately to ensure that clear and concise facts can be gathered. The whole process should be made as stress free as possible.
<i>Response</i>	<ul style="list-style-type: none"> • Responses could be collected over a period of time and then analysed. The data could then be displayed in another research article and correlations and trends can be displayed. 	

Conclusion:

Those with a learning disability can be educated in fraud prevention strategies. *Williams et al (2007)* states that this could be a beneficial way in which financial abuse can be decreased for those with a mild to moderate learning disability. *Citizens Advice (2015)* agrees with this statement, highlighting effective ways to communicate with those with a learning disability for optimum understanding. Although *The European Commission (2005)* stated that they were going to try and challenge financial abuse of those with a learning disability, their goal to achieve this was to work closely with those working with or caring for this group of vulnerable individuals. This research suggests that it is those persons, such as social care support, nursing home staff and even family and friends, which pose the prominent risk of financial abuse. Person's known to the individual are more likely to commit financial abuse. Individuals with a learning disability are increasingly at risk of financial abuse in their own home or in a care/residential setting. *Disability Rights UK (2018)* highlights an increasing pressure for those with a learning disability to live independently, thus making them targets for financial abuse and "mate crime".

Professional opinions and work ethics need to adapt to an individual's needs, and if they feel like they are working outside of their own limitations an appropriate adult should be introduced when dealing with individuals with a learning disability reporting a crime to the police. There should be no discrimination when it comes to how a crime is dealt with and a range of different forms of communication can be introduced to ensure the complaint is taken seriously and dealt with in the proper manner (www.mencap.org.uk). *The Guardian Newspaper (2011)* released an article stating, "Police are failing people with learning disabilities." *Disability Rights UK (2012)* carried out research and found 76.5 of those asked believed

coverage of negative stories in the press was increasing. Could this mean that since the article released by *The Guardian Newspaper* that the police are doing more to combat crime against those with a learning disability and hence why the crimes are being reported in the media? *The Department of Health (2011)* released a fact sheet that is classed as an "*Easy Read*." If this can be done for a fact sheet, could this be transferred to information booklets for those with a learning disability on indicators of financial abuse and that steps to take if they feel they're a victim.

For those with a severe learning disability and lack's capacity, those involved in the immediate care have a duty of care, and therefore a responsibility to safeguard said individuals against financial abuse. Fraud prevention strategies would not be fit for purpose for individuals lacking capacity as they are deemed to not have the ability to retain information, however, the lack of capacity should not be assumed due to the presence of a learning disability and fraud prevention strategies for those individuals with low to moderate learning disabilities could be duly adapted in a way in which said individuals can understand. Those adaptations at current are not available.

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