

Financial Abuse of the Vulnerable

A Case Study

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Values and Behaviours - *Determination*

- Take informed risks to make things happen
- Lead by example
- Have the drive to get results
- Challenge poor performance and have difficult conversations
- Be willing to leave your comfort zone
- Resolve conflict and find solutions
- Don't give up when things get difficult
- Do what you say you are going to do



`Sue`



- The Care Act 2014 created a statutory duty for Local Authorities to investigate abuse of vulnerable adults. This includes financial abuse.
- A recent investigation by Dudley Trading Standards involved the financial abuse by a carer of a vulnerable 93 year old gentleman suffering from dementia.
- This has probably been the most challenging and thought provoking prosecution brought by DMBC; it would not have happened without the determination and commitment from Chris King (TS), Anne Harris(ASC), David Lunt (ASC), Jane Atkinson (Designated Nurse for Safeguarding Vulnerable Adults) and Tim Holder (Legal)



How It Started....

- April 2014; Neighbours report to the Authorities that an elderly Dudley man is being financially exploited by his cleaner.
- Man is 93 years old, registered blind, lives alone, no close relatives in UK.
- Referral is made to Adult Safeguarding.
- Social Worker visits the man. He has a cleaner/carer called `Sue`. Whilst the social worker is present `Sue` telephones the man and is heard to tell him to be careful what he says – she is his carer now.
- Investigations reveal that `Sue` is an alias for Veronica Robinson.
- Over the months that followed she has progressively isolated the man from his social network.



Isolation

By mid 2014, (ie within twelve months of meeting);

- Victim believes that friends are stealing from him
- Victim will no longer attend social events unless allowed by/accompanied by Robinson. Frequently this is not allowed....
- Locks have been changed on victims home by Robinson on 2 occasions. Friends, family and support services struggle to gain access to him.
- Family photos and contact details have been removed from his home.
- Limited access shows victim confused and has apparently deteriorating mental health.
- Victim tells friends that he is lending/giving money to `Sue` - £10,000 loan for `lease`, £5000 for `knee operation`.



- Late 2014;
- Despite numerous concerns and alerts, the Authorities cannot engage with the victim. He is hostile to any approach as he believes he will be put in a care home.
- The victim's view was that it was his money and it was up to him to spend it as he liked – he could take it up the garden and burn it if he wanted.
- He is unavailable for appointments as he has gone `out with Sue`.
- He tells friends and family not to contact him as he `has Sue now`
- Because he will not engage with services, an assessment of mental capacity cannot be carried out.
- This means that because he is not diagnosed as lacking capacity, formal intervention cannot be undertaken.



February 2015;

- The victim tells a neighbour that `Sue` has been in two violent marriages and `cannot afford a roof over her head`
- He believes that the rented accommodation in which she lives is cold and dangerous, so he has brought her a house.
- He doesn't know how much it cost, but guesses around £30,000.
- Investigations reveal that in November 2014 Robinson has written a cheque to herself from the victim's chequebook for £188,000, which he has signed.
- The cheque has been used to fund the entire purchase of a detached house in Halesowen, which is in Robinson's name.



Warrants

- The police commenced an investigation and initially arrested Robinson, during which time a condition of her bail was not to contact the victim. The Police declined to investigate further and the matter was referred to Trading Standards.
- Warrants were executed on Robinson`s home.
- They revealed that she had obtained copies of all of the victim`s financial dealings and accounts.
- She had drafted wills to ensure she kept ownership of the house.
- She was attempting to gain Power of Attorney over all of the victim`s finances.
- She had sent solicitor`s letters to the victim`s family telling them to keep out of his financial affairs.
- She had created letters to the Authorities in the name of the victim stating that he wanted the investigation into her activities stopped.



Financial Investigations

- Prior to meeting Robinson in mid 2013, the victim lived on £1000 per month
- His accounts were set up so that once the balance of his current account fell below £2000 a transfer was made automatically from his savings account.
- Having met Robinson his spending increased rapidly.
- Within six months of meeting her his spending had trebled.
- After a further six months he was withdrawing an average of £5000 a month. At its height, the victim withdrew £8000 in six weeks.
- The cash was withdrawn by cheques, all written by Robinson. They totalled approximately £50,000.
- The cash disappeared, the victim had no idea where it went.
- The victim told officers that he and Robinson called it `the Bonnie and Clyde run`



Diagnosis

- In March 2015 Robinson was arrested by West Midlands Police, and bailed away from the victim for one month.
- This allowed Social Workers to finally gain access to the victim, he was diagnosed with Dementia and found to be lacking capacity to understand or manage his finances. He was entirely susceptible to the suggestions of a carer offered to look after him
- On this diagnosis his bank was prepared to restrict his access to his finances.
- However in April 2015 WMP took the decision to cancel Robinson`s bail, meaning she could take control of him again.
- Dudley MBC then commenced Court of Protection proceedings to obtain a permanent injunction to keep Robinson from his life.
- Robinson objected to the proceedings.



Court Of Protection

- Robinson took the victim to an independent mental health assessment in an attempt to obtain diagnosis that he was mentally able to retain control of his finances.
- However she withheld information from the assessors, specifically that she had used his money to buy herself a house.
- The medical assessor ultimately became a prosecution witness.



Court of Protection continued;

- Robinson`s alibi, to the Court of Protection and the investigation in general, was that the victim had legitimately purchased the house for her so that she could care for him and he would live with her when he could no longer live independently.
- She served documents on the CoP purporting to be a signed agreement with the victim to this effect, signed in December 2014.
- However we were able to prove that this was forged and was created by Robinson as an alibi after discovery of the house purchase in 2015.
- The CoP gave an injunction to stop Robinson`s involvement in the victim`s life.



Fraud Prosecution

- Robinson was prosecuted by Dudley MBC Trading Standards for S4 Fraud, and Perverting the Course of Justice (re the serving of false documents on the Court Of Protection).
- After a four week trial involving the evidence of over 50 witnesses, Robinson was found guilty and sentenced to 5 and half years in prison.
- Most importantly Dudley MBS fulfilled its legal and moral duty to protect a vulnerable resident from financial abuse.

