Experience of Bank Staff of the Financial Abuse of Vulnerable Adults

Amanda Phelan, Deirdre O’Donnell and Sandra McCarthy

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Acknowledgments

The UCD Research team would like to thank the Banking and Payments Federation of Ireland (BPFI) for facilitating this research project. In particular, thanks to Ms. Louise O'Mahony and members of the BPFI Vulnerable Customer Forum.

We would also like to thank the five banking institutions who funded the research: AIB, Bank of Ireland, Ulster Bank, permanent tsb, KBC

Finally, many thanks to the members of the banking institutions and the National Safeguarding Committee who participated in this study.
Foreword

The participation of five retail banks in this in-depth UCD research into how frontline bank staff experience customers at risk of financial abuse has been an invaluable exercise for BPFI and its retail banking members, AIB, Bank of Ireland, Ulster Bank, permanent tsb, KBC.

BPFI was delighted to have the opportunity to facilitate this innovative research by Dr. Amanda Phelan and her colleagues at the National Centre for Protection of Older Persons, UCD. The study of the experience of frontline staff when dealing with customers who are vulnerable (of all ages) and possibly exposed to financial abuse is of relevance beyond the financial services sector. This report provides insights for all stakeholders in Ireland into the challenges faced by those who find themselves at risk and those at the frontline (whether in a bank, a hospital, a legal practice, an advocacy group) who are seeking to help in often complex cases.

The decision to take part in this research arose from the BPFI Vulnerable Customer Forum, where member representatives articulated concerns of frontline staff trying to “do the right thing” by customers, when it is not clear in certain cases what that “right thing” is. As is evident from the report, there is huge awareness within banks that some customers who find themselves in vulnerable circumstances may be subject to financial abuse and/or fraud, and concerted efforts to address this.

A main finding here is that safeguarding the finances of vulnerable customers is an important concern for banks in Ireland. Retail banks have implemented policies and procedures to guide their staff, and they all provide training on the approach to vulnerable customers. This training is generally informed by external expertise such as the DCU Dementia Elevator programme. BPFI and members recognise the need for ongoing improvement and will be informed by the findings of this useful report in determining best practice going forward.

As recommended in this report, we believe raising public awareness of this matter and facilitating an “integrated response for the prevention and intervention of financial abuses of vulnerable adults”, is key. In this regard, we would like to acknowledge the role of the National Safeguarding Committee, particularly in informing BPFI and members of the experience of adults at risk.
BPFI thanks Dr. Phelan and her colleagues for this report and the NSC members who participated in the qualitative research. BPFI would like to thank the frontline staff who responded to (yet another!) survey in high numbers and readily agreed to do interviews, reflecting interest and commitment of bank staff to champion the rights of the vulnerable customer to make autonomous financial decisions.

Louise O’Mahony

Head of Sustainable Banking

BPFI
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Executive Summary

Financial abuse of vulnerable adults is a significant issue in society yet is under-researched, under-recognised and under prosecuted. Financial institutions, such as banks, have been recognised as important sites to prevent, identify and aid in responding to financial abuse. Recognising that there is scant research in the area of financial abuse of vulnerable adults, this study aimed to explore the experiences of recognising and responding to financial abuse of vulnerable adults among frontline banking staff working across five financial institutions in Ireland. In this study, the term ‘vulnerability’ relates to a social vulnerability rather than any inherent individual quality. Using a mixed method approach, the study collected data in two ways. Firstly, a survey was circulated to front-line bank staff in five national banks in Ireland. This yielded 898 responses. Secondly, semi-structured interviews were undertaken with twenty bank managers to engender experiences of financial abuse of vulnerable adults and, to provide a contextual background to the issue, five semi-structured interviews were conducted with members of the National Safeguarding Committee.

Findings from the survey data demonstrate that more than half of the respondents (66.5%) had previously suspected a customer to be experiencing some form of financial abuse. Cashiers and customer advisors/service staff are likely to internally consult with colleagues in the case of a suspicion of financial abuse, while bank managers will more likely to monitor the situation, seek external consultation and follow formal procedures. Individual judgement and previous experience were fundamental to decision-making, particularly for bank managers or those with over eleven years experience and the length of professional banking experience played the most significant role in influencing and/or predicting the sample’s responses to the five scenarios describing potentially abusive situations.

Findings from the semi-structured interviews demonstrate the complexity and wide variations of case experiences of bank managers and the National Safeguarding Committee. These include being financially abused in the context of undue influence, scams, fraud and some cases described the naivety or potential naivety of some customers who may have capacity challenges, engage with strangers through social engineering scams, share PINs or open bank accounts without fully understanding the consequences. Bank managers who have a suspicion of financial abuse of a vulnerable adult will engage in several strategies to further examine the context involved in order to assess the situation and decide the best response. Furthermore, as
well as following existing bank policy, intuition comes into play in responding to suspected cases, such as stalling the financial transaction and following up with the person.

**BPFI comment:**

Banking and Payments Federation Ireland welcomes the findings of the UCD research into how the frontline staff of five retail banks - AIB, Bank of Ireland, Ulster Bank, permanent tsb and KBC - experience and manage cases of potential financial abuse.

The findings of the survey and the interviews with bank staff indicate widespread awareness and competence within the banking sector and in particular a strong willingness on the part of staff to assist and protect the customer. The five retail banks funded and participated proactively in the survey in order to understand the challenges, identify areas for improvement, and ensure policies and training genuinely assist staff to empower and safeguard customers at risk.

As anticipated, addressing this complex matter requires ongoing attention: Dr. Phelan’s indepth analysis provides invaluable information to banks of both the types and forms of abuse and how frontline staff experience and address the issue. This will feed into the sector’s understanding of this matter and actions that may be required, via policy, measures and training – both within the banking sector and indeed for the wider financial services sector.

BPFI’s participation in the National Safeguarding Committee and our involvement in preparations for the Assisted Decision Making legislation reflect the banking sector’s commitment to be part of the national dialogue required to enable an adequate safeguarding environment for adults at risk.

Recommendations from the findings of this study have a duel focus which concentrate on actions within the banks themselves and actions on the macro level of society. Equally, these recommendations may have further transferability to other financial institutions, such as An Post and Credit Unions.
Bank level responses

- **Inter-sectorial collaboration**: Inter-sectorial collaboration should focus on enabling an integrated response for prevention and intervention of financial abuse of vulnerable adults. This should involve multiple sectors and disciplines who provide comprehensive insights into issues of social vulnerability, health, social protection, law, police, accounting and banking activities. Referral paths should be clear and quality assured.

- **Education and training**: Further education and training is needed to ensure staff competencies in recognising and responding to suspected and actual cases of financial abuse of vulnerable adults. Other important areas should focus on population stereotyping (ageism, mental health, intellectual disability), capacity and related legislative implications (when implemented) and undue influence.

- **Vulnerable adult champion**: All financial service providers to consider creating and/or formalising a vulnerable adult champion role to all banks to provide a resource from local staff and to build up a body of knowledge on the complexities of financial abuse of vulnerable adults.

- **Ensure choice of banking**: Banks ensure that customers always have a choice of face to face banking.

- **Direct communication with the vulnerable adult**: Consider methods of connecting to people who are unable to attend the bank to ensure the person’s will and preference is being championed. This includes enhanced communication strategies for people with communication difficulties.

- **Central Bank of Ireland**: The Central Bank of Ireland should provide greater guidance for banks for translation to individual, local policy. This guidance should ensure standardised, clear pathways for banks’ responses to suspected and actual financial abuse of vulnerable adults and enable methods of taking action which are regulatory sanctioned. Regular monitoring of legal arrangements, such as Power of Attorney and decision-making representatives should be contained in guidance. The Central Bank of Ireland should also consider the provision of a legal safe harbour for banks engaged in responses in good faith.

Macro-level responses

- **Public Awareness**: Significant public education is required on the topic of financial abuse, undue influence, and to counter the cultural perspective of entitlement. Raising public awareness also includes highlighting the implications of banking actions such as opening a joint account, the impact of the Assisted Decision Making Capacity Act and particularly the confidentiality of PINs and dangers of giving account access to a third party. Other foci include raising public awareness of opportunistic abuse via scams such as doorstep crime, sweetheart crimes, fake lotteries, viching, smishing and phising. Money management programmes should be promoted to increase financial literacy.

- **Raise profile as a crime**: Financial abuse is a crime. This should be recognised as such and the promotion of appropriate actions, such as legal redress, should be pursued.
• **Comprehensive Safeguarding Legislation:** The progression of proposed legislation for safeguarding with associated locally implemented integrated policy.
Chapter One: Introduction

2.2 Background

Abuse of vulnerable adults has received increasing research and policy attention in Ireland, particularly with the publication of the first Irish policy on responding to elder abuse (WGEA, 2002). This report recommended the establishment of a bespoke service in the Health Service Executive (HSE) to respond to suspected cases of physical abuse, psychological abuse, sexual abuse, financial abuse and neglect of older people. In 2014, this service expanded to include vulnerable adults, acknowledging that social vulnerability from environmental factors, including ageism, low financial literacy and experiential issues may increase adults' risk.

The 2002 report (WGEA, 2002) also recommended the establishment of a distinct research centre in Ireland to examine the issue of elder abuse. As a result, the National Centre for the Protection of Older People (NCPOP) was launched in 2008 in University College Dublin, led by the School of Nursing, Midwifery and Health Systems. In 2010, an Irish national prevalence study identified that financial abuse was the most common form of elder abuse experienced by Irish older people (Naughton et al., 2010). This concurs with findings of other prevalence studies globally (Acierno et al., 2010; Cadmus and Owoaje, 2012; Lindert et al., 2013; NICE, 2015). Subsequent NCPOP reports also pointed to the significance of this form of elder abuse within older people in Ireland (Fealy et al., 2012; Phelan et al., 2014a; Phelan et al., 2014b). Due to the Irish policy reorientation (HSE, 2014) to include response systems for vulnerable adults and the fact that the Central Bank of Ireland (2012) recognised a particular service responsibility to vulnerable customers, the Banking and Payments Federation of Ireland (BPFI) agreed to fund this study related to the context of illuminating banking staff's experiences of financial abuse of vulnerable adults at risk of abuse. To add a macro context to this study, five members of the National Safeguarding Committee were also recruited to provide additional context to the issue.

2.2 Report Structure

This report is divided into six chapters. This chapter, chapter one, provides a brief background to the study and delineates the report structure. Chapter two presents an introduction to the issue of financial abuse and examines the extant literature, particularly in the context of financial institutions. Chapter three gives an overview of the study design. In chapter four, the findings from the quantitative survey are presented while chapter five provides the findings of the qualitative data. The final chapter, chapter six, provides a discussion of the findings in the
context of the analysis of the data and the literature, including both the recommendations and the limitations of the study.
Chapter Two: Review of the literature

2.1 Introduction

A 2011 report by the World Health Organisation estimated that 3.8% of Europeans (6 million people) over the age of 60 experienced financial abuse in the preceding year. A study carried out in Ireland in 2010 reported that 6,270 people over the age of 65 had been victims of financial abuse in the preceding year resulting in a national prevalence rate of 1.3% (Naughton et al., 2010). Research has shown that rates of financial abuse of vulnerable adults are increasing both in Ireland and elsewhere and financial abuse has been described as the fastest growing form of abuse of older people in particular (Black, 2012; Bonnie & Wallace, 2003; Rabiner, O’Keeffe, & Brown, 2006; Vancity 2014).

However, an increase in prevalence has not resulted in a corresponding increase in rates of detection or prosecution. This is due in part to a lack of uniformity and consistency when defining financial abuse and to challenges facing authorities when discussing the financial matters with individuals (Jackson, 2015; Chandaria, 2011) The banking sector has been identified as having an important role in combatting financial abuse however little research has been carried out in this area (Pesiah et al., 2016; Cairns et al. 2011; Vancity 2014).

This chapter provides an overview of current understandings of financial abuse from the literature and discusses some of the challenges facing practitioners, policy makers and researchers when it comes to addressing financial abuse. The potential role of financial institutions in tackling financial abuse is also examined with reference to the literature.

2.2 What is financial abuse of vulnerable adults?

Financial abuse is difficult to define and as a result is under-researched, under-reported, under-recognised and under-prosecuted (Jackson, 2015). An increasing older population coupled with rising rates of dementia, a known risk factor for financial abuse, has created an increased urgency for more research and understanding of the phenomenon.

In Ireland, financial abuse has been identified as the most common form of elder abuse following a national study of community dwelling older people (Naughton et al., 2010). Internationally, financial abuse has been identified as either the most or second most common form of elder abuse (Acierno et al., 2010; Laumann, Leitsch, & Waite, 2008; O’Keeffe et al., 2007). But what is financial abuse and who is affected by it? In this section, current understandings of financial abuse are examined with reference to how it is defined, how it is conceptualised, how it is
measured and who is targeted. Though the focus of our research is on vulnerable adults, much of the literature reviewed references older people specifically or adults at risk generally. Due to the transferability of older people specific research to the context of vulnerable adults, we use the terms interchangeably throughout this chapter while at the same time identifying which cohort was the subject of study in any literature reviewed.

2.2.1 The challenge of defining financial abuse of vulnerable adults

Financial Abuse

How financial abuse is defined varies significantly within the literature. A review of the topic of financial abuse of older people in 2012 found over 40 different descriptions of financial abuse (Fealy et al., 2012). Such variation is problematic when attempting to carry out cross comparisons within the research and also means that any prevalence rates recorded must be treated with caution (Rabiner, Brown, & O’Keeffe, 2004). The absence of a universal definition also presents additional challenges for policy makers and professionals working with vulnerable adults with regard to detecting and responding to financial abuse (Gilhooly et al., 2013; Jackson, 2015; Rabiner, et al., 2004). Hafemeister (2003) notes that financial abuse is hard to define because it is hard to define. However, that is not to say that a unifying understanding of financial abuse cannot be articulated and in the literature it is generally characterised as the improper use of a vulnerable person’s assets (Dessin, 2003) with Vancity (2014) pointing to financial abuse being constituted by monetary abuse, property abuse or legal abuse. In Ireland, the HSE uses the following definition in its adult safeguarding policy:

“Financial or material abuse includes theft, fraud, exploitation, pressure in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits” (Health Service Executive, 2014, p. 9)

Within the literature, financial abuse of vulnerable adults has been described as financial exploitation (Acierno et al., 2010; Choi & Mayer, 2006), financial mistreatment (Laumann et al., 2008), and financial mismanagement (Choi, Kulick, & Mayer, 1999; Crosby et al., 2008). Research studies that have operationalised these definitions of financial abuse have utilised some of the following indicators:

- Theft, including burglary and robbery
- Fraud including telemarketing, lottery and homeowner scams
- Intentional misuse of assets by a fiduciary or care giver
- Negligent use of assets or financial mismanagement (Black, 2012)
Some studies have used behavioural definitions to try and capture financial abuse. In a national study in the United Kingdom (UK), indicators such as “made you give money, possessions or property” and “tried to use fraud to take money, possessions or property” were used as part of a survey of older people (O’Keeffe et al., 2007, p. 15). Indicators for financial abuse used in an Irish study included “stolen your money/possessions/property/land or documents” and “forced or misled you into giving them money, possessions, property, land or your pension book against your will” (Naughton et al., 2010). The tendency for researchers to use unique indicators for financial abuse is indicative of a lack of standardised measurement in the field and also makes comparisons between studies challenging (Jackson, 2015).

Financial abuse of vulnerable adults has also been defined with reference to criteria that can be considered when assessing whether an action constitutes financial abuse or not. The four key criteria identified in the literature are:

- The characteristics of the victim that suggest vulnerability to financial abuse
- The relationship between the victim and the alleged perpetrator
- The costs and the benefits of that relationship to both parties
- The type of actions or influence used by the perpetrator

(Jackson, 2015; Naughton & Drennan, 2016)

In the literature, victim characteristics that inform financial abuse definitions relate to the age of the person and their perceived vulnerability (Jackson, 2015). The World Health Organisation (WHO) articulates financial abuse with regard to age and defines it as “[t]he illegal or improper exploitation or use of funds or other resources of the older person” (Davidson, Rossall, & Hart, 2015). The National Center for Elder Abuse in the United States (US) incorporates both age and vulnerability into its definition of financial abuse: “[t]he illegal or improper use of an older person’s or vulnerable adult’s funds, property, or assets.” (The National Center on Elder Abuse, 2006, p. 28). Whether the perpetrator is a stranger or someone known to the victim is also an important consideration within the literature with the consensus being that a relationship of trust is present in cases where exploitation take place. This is often interpreted to mean that the perpetrator is more likely to be known to the victim and less likely to be a stranger. While most studies do not restrict their definition of financial abuse to one or the other, Bonnie and Wallace (2003) excluded strangers from their definition of abuse while others distinguish between personal and commercial financial abuse with the former being committed by persons known to the victim and the latter constituting scams and mass marketing fraud (MMF) (Jackson, 2015).

From the review of the literature, the perpetrator is generally described as a person in a position
of trust such as a carer or fiduciary (Conrad et al., 2011; Naughton & Drennan, 2016), yet self-reports remain low indicating a potential lack of awareness of being financially exploited (Vancity 2014).

Further variations in defining financial abuse were found in the literature with regard to financial mismanagement. Financial mismanagement can be inadvertent and involve the negligent handling of a vulnerable person’s assets (Crosby et al., 2008). It can also be a form of self-neglect when an older person stops paying bills or begins giving away money (Fealy et al., 2012). The nebulous nature of financial mismanagement and uncertainty for professionals regarding intent can make determining whether a situation like this is abusive. Taking a systems theory approach, Setterlund et al. (2007) examined how routine management of mundane financial tasks by a family member can become abusive. The study found that most asset managers have the means and the opportunity to financially abuse but that the majority do not. However, they suggested that well placed prevention strategies, such as electronic monitoring by banks, could act as a deterrent to any illegal or inappropriate behaviour (Setterlund et al., 2007).

**Vulnerable adults and adults at risk**

Throughout this section the terms vulnerable adult, older person and adult at risk have been used interchangeably. However, though we are referring to a cohort of people who are characterised predominantly by their risk of abuse due to personal, environmental or experiential risk, it is worth unpacking the nuances between the various terms. As we will see later, how policy makers interpret these nuances impacts on how these definitions are operationalised, which in turn impacts on practice, detection and reporting. As was mentioned above, literature on financial abuse tends to focus more on older people as an at risk group. However, shifting understandings of vulnerability have served to broaden how at risk groups are characterised and in some cases has changed how vulnerability itself is perceived. In the UK, the term ‘vulnerable adult’ has been used for decades to describe someone who is not able to protect themselves from abuse due to a mental health problem, disability or as a result of their age (Carter et al., 2014). However, a more human rights-based approach has emerged in recent years that moves away from ideas of vulnerability and dependency suggested by the term ‘vulnerable adult’ and toward the idea of *risk* due to personal characteristics (such as age, disability, illness etc.) and/or life circumstances which are not necessarily permanent meaning that the levels of risk can change over time (DHSSPS and DoJ 2015). Equally, ageism may create the conditions for vulnerability, even when the individual is not vulnerable or does not self-identify as vulnerable (Canadian Foundation for Advancement of Investor Rights &
Canadian Centre for Elder Law, 2017) Operating within this framework, social care staff are responsible for empowering adults at risk to protect themselves from harm which has implications for policy and practice with regard to safeguarding and financial abuse.

2.2.2 How common is financial abuse?

Due to variations in how financial abuse of vulnerable adults is defined, the true prevalence rate of financial abuse is hard to determine (Rabiner et al., 2004). Differences in study design, particularly sampling, as well as variations in how broadly the concept is defined have resulted in considerable disparity in the rates recorded. Of the national prevalence studies reviewed the highest rate of financial abuse was 8.9% and was recorded among patients aged 70 and over in two Israeli hospitals (Cohen et al., 2007). A national study on elder abuse in the UK indicated the lowest rate of financial abuse of the studies reviewed. Based on questionnaires and interviews with older people aged 66 and older (N=2,100), a rate of 0.7% was recorded for financial abuse (O’Keeffe et al., 2007). Within-country variations were found with regard to two American studies. Aceirno et al. (2010) reported a rate of 5.2% for financial abuse of older people in the US based on a telephone survey of over 60s while an earlier study found that 3.5% of a sample of American older people aged between 57 and 85 reported financial abuse (Laumann et al., 2008). In Canada, a study within Credit Unions identified 41% of older people experiencing some form of financial abuse (Vancity 2014). In Ireland, the national prevalence study carried out by the NCPOP found that 1.3% of older people aged 65 and older were victims of financial abuse and constituted the most common form of maltreatment (Naughton et al., 2010). However, it is important to note this Irish study was conducted with older people with capacity.

Though there are considerable variations in the rates of financial abuse reported in the literature, the consensus is that these are underestimations of the true prevalence of financial abuse in all jurisdictions. In the US, one study estimated that as many as five out of six cases of abuse were not reported (Gilhooly et al., 2013) which concurs with a recent report in Canada (Canadian Foundation for Advancement of Investor Rights & Canadian Centre for Elder Law, 2017). A contributing factor to the underestimation of financial abuse is low reporting rates by victims combined with failure on the part of professionals working with older people to either identify and/or report suspicions of financial abuse (Fealy et al., 2012; Moyer, 2009; Vancity, 2014). In Ireland, evidence in support of this theory is suggested by the discrepancies found between prevalence rates recorded by the HSE for financial abuse and those recorded by the national study; 0.4% and 1.3% respectively (Fealy et al., 2012). When research into why victims don’t report financial abuse was carried out, reasons included shame or embarrassment as well as
fear of retribution by the perpetrator or, where the victim was dependant on the abuser, loss of support with day to day activities (Davidson et al., 2015; MetLife Mature Market Institute, 2011). Reasons could also translate to not recognising or being unaware that the action was abusive (Vancity, 2014; Canadian Foundation for Advancement of Investor Rights & Canadian Centre for Elder Law, 2017).

Prevalence rates are also considered underestimations due to the exclusion of people with cognitive impairment. Dementia has been identified as a risk factor for financial abuse and therefore the exclusion of this group from prevalence research will have an impact on rates reported (Conrad et al., 2011; Crosby et al., 2008).

2.2.3 How does financial abuse manifest?

Defining and identifying financial abuse is exacerbated by its multifaceted nature and the fact that it manifests in numerous ways. In attempting to capture this multifaceted aspect, Conrad et al. (2011) identified six clusters that comprise financial abuse of older adults. These are listed in descending severity and we use them here to guide our examination of the subject:

1. Theft and scams
2. Financial victimisation
3. Financial entitlement
4. Coercion
5. Signs of possible financial exploitation
6. Money management difficulties

**Theft and Scams:** Theft and scams were identified as the most severe form of financial abuse by Conrad et al. (2011). Unlike other manifestations of financial abuse, thefts and scams do not require the presence of a trusting relationship between the victim and the perpetrator, though one can exist. Theft can be perpetrated by someone known to the person at risk or a stranger and is easily identifiable and addressed within a criminal justice framework while scams are generally perpetrated by persons unknown to the victim, though there can be an implicit trusting relationship present when the scam artist presents themselves as a legitimate professional (AgeUK, 2015; Dessin, 2003). Within the literature, the terms scam and fraud are frequently used interchangeably. With regard to older people, common types of scams include demanding fees upfront for items or services that never materialise, lottery or prize-draw scams, bogus tradesmen, doorstep crime, and investment fraud (AgeUK, 2015). The term Mass Marketing Fraud (MMF) has been used to describe some of the scams outlined here and is characterised by unsolicited contact via phone, email or letter where false promises are made with the intention
of defrauding the person (AgeUK, 2015; Olivier et al., 2015) and this has led to Interpol's (2018) focus on social engineering fraud. The most common form of MMF has been identified as an unsolicited communication about a lottery or prize-draw win that was not entered (Olivier et al., 2016). Scams and in particular MMF have been identified as the largest growth areas in financial abuse of older people in recent years (Lichtenberg et al., 2015; Olivier et al., 2016). Though adults of all ages can become victims of scams or fraud, vulnerable adults are often repeatedly targeted thanks to so-called ‘suckers lists’ which are sold between fraudsters and provide details of previous victims of scams (AgeUK, 2015; Olivier et al., 2015; Social Care Institute for Excellence, 2011). Figures on losses through fraud from the US suggest that monies lost through fraud by older people totalled $44,723,556 in 2010 (MetLife Mature Market Institute, 2011). True Link, a Californian financial institute helping older people protect themselves from financial abuse, estimates that older people lose $9.8 billion per year to scams alone (2015, p. 12).

**Financial Victimisation:** Financial victimisation is characterised by Conrad et al. (2011) as a breach of trust and includes incidences where a vulnerable adult is tricked or forced by someone in a position of trust to sign over property or control of accounts (Davidson et al., 2015). A breach of trust has been described elsewhere as being at the heart of financial abuse. Trust relationships are not confined to family but describe any relationship where a person ‘bears or has assumed responsibility for protecting the interests of the older person or where expectations of care or protection arise by law or social convention’ (Bonnie & Wallace, 2003, p. 39). Defined in this way, trust becomes the factor that distinguishes an act of theft from an act of financial abuse (Jackson, 2015). Research has shown that where financial victimisation occurs, family and friends as well as trusted professionals are the most often cited perpetrators. While breaches of trust involving family relate to acts such as unauthorised use of credit cards or misuse of power of attorney, those involving trusted professionals include predatory lending or misleading information provided regarding stocks or investments (Moyer, 2009).

However, using trust as a mechanism for identifying a perpetrator of financial abuse is not always effective and can make identifying financial abuse even more difficult requiring a responder to establish that the suspected perpetrator is in a position of trust (Jackson, 2015). For example, scams are perpetrated by con-artists who have gained the trust of vulnerable person and yet would not be identifiable as being in positions of trust as articulated in the definition above. Therefore, while trust is a key component of financial victimisation it is not a reliable yard stick with which to measure all types of financial abuse.
**Financial Entitlement:** Where family members are the perpetrators of financial abuse the acts of abuse are often characterised by a sense of entitlement (Rabiner et al., 2006). Normal familial arrangement regarding finances can become abusive in the presence of a sense of entitlement to the vulnerable person's assets (Setterlund et al., 2007). This can be especially true where perpetrators stand to inherit assets from the vulnerable person and see their actions as simply gaining control over what is rightfully theirs (Rabiner et al., 2004; Phelan & McCarthy, 2016). The risk of financial abuse is increased when dependency and entitlement are combined; for example, when an older person is dependent on an adult child who has a sense of entitlement to the older person’s property or assets for help with daily tasks (Wendt et al., 2015). Entitlement is a difficult concept to unpack with regard to financial abuse as it is not simply an individual characteristic but has also been identified as a product of societal norms. These norms allow family members to see an older person’s assets as something they will inherit anyway and that the older person has no need for at this stage in their lives (Davidson et al., 2015). Reciprocity also plays a role in formulating these attitudes. The abuser may feel that they have earned a right to the older person’s assets as a result of care provided or as reparation for a difficult childhood (Gibson & Qualls, 2012). These relationships are complex and make identification of clear indicators of abuse difficult for professionals to make.

**Coercion:** Coercion or undue influence is an established characteristic of elder abuse in general and relates to scenarios where a vulnerable person is forced to do something they do not want to do. Definitions of financial abuse often refer to coercion as a key component of the phenomenon. Coercion exists where a vulnerable adult is pressurised or threatened into making financial decisions (Conrad et al., 2011). Examples include where a vulnerable person is forced to change a will or sign financial documents. In one UK study, being coerced to sign wills or give third party gifts was found to be a type of abuse that would trigger a decision on whether an activity could be classed as financial abuse or not (Cairns et al., 2011). In one state in the US, officials are permitted to act on a case of financial abuse without the permission of the older person where coercion is suspected (Dessin, 2003). Coercion is not limited to family members or those with whom the victim has a close relationship with. In examining the potential role of financial institutions in the financial abuse of older people, one study found that some practices such as reverse mortgages or having a parent or grandparent co-sign a loan agreement placed undue pressure on older people to part with assets or place themselves at financial risk and could be viewed as coercive (Naughton & Drennan, 2016).

**Signs of possible financial exploitation:** Conrad et al.’s fifth cluster is described as relating to activities that could be considered risk factors for abuse and that warrant further investigation
by professionals (Conrad et al., 2011). Health professionals working directly with vulnerable people might be alerted to potential financial abuse if a client’s living environment is poor or there is little food in the house (Chandaria, 2011). Additional signs could include irregular activity on accounts, inability to pay bills, unmet physical needs and changes in spending habits (Chandaria, 2011; Fealy et al., 2012). The presence of physical abuse has also been identified as a possible indicator of financial abuse (Social Care Institute for Excellence, 2011). Increased recognition of these potential signs of exploitation could assist with prevention and detection of financial abuse of vulnerable adults.

**Money management difficulties:** The final cluster described by Conrad et al. (2011) points to factors associated with the vulnerable person themselves that could make them susceptible to financial abuse. These include aspects such as the person’s financial literacy and their ability to budget and manage their finances effectively. Financial literacy relates to a person’s ability to make simple calculations and their understanding of concepts like investments, stocks and shares (Lichtenberg et al., 2016). As people age, their financial literacy can decline and their willingness to take financial risks can increase which can in turn increase their vulnerability to financial abuse (Olivier et al., 2016). In addition, cognitive impairment has been found to be a risk factor for financial abuse with evidence suggesting that people with dementia are often ‘chronic scam victims’ (Chandaria, 2011, p. 39; Samsi, Manthorpe, & Chandaria, 2014). Banking professionals have been identified as well placed to identify decline in financial literacy among at risk customers suggesting a possible role for the sector in detection and prevention of financial abuse of vulnerable adults.

### 2.2.4 Conclusion

The absence of a universal definition of financial abuse of vulnerable adults has been shown to be problematic for those studying the phenomenon and those trying to combat it. Further challenges present themselves with regard to the complex and multifaceted manner in which financial abuse of vulnerable adults manifests which makes it difficult for frontline staff to distinguish between abusive acts, criminal acts as well as acts of self-neglect, all of which require different responses (Payne & Strasser, 2012). In addition, the role of trust and the nature of relationships between victims and perpetrators makes financial abuse difficult to detect due to a reluctance to report on the part of the victim creating further challenges for authorities in preventing and prosecuting cases. However, the phenomenon has received increased attention in recent years and new frameworks are evolving to assist authorities, professionals who work with vulnerable adults and the public to recognise financial abuse when it occurs.
2.3 Current Legal and Policy frameworks relating to financial abuse

Most efforts to tackle financial abuse focus on the identification of risk factors and screening those at risk for signs of financial exploitation. How these approaches are implemented depends on the legislative and policy frameworks within in which the abuse is taking place. This section examines examples of legislative and policy actions from different jurisdictions to highlight the role that these frameworks play in tackling financial abuse.

2.3.1 Legal frameworks for tackling financial abuse

In America, all 50 states have statutes that define financial abuse in their civil codes (Jackson, 2015). However, definitions of what financial abuse is differ from state to state and are generally concerned with the characteristics of the victim rather than the nature of the crime or act (Jackson, 2015). Laws pertaining to the mandatory reporting of financial abuse are also a feature of the American legislative framework though in some states the reporting requirements are voluntary (Cooper et al., 2006; Lachs & Pillemer, 1995). In California, banks are mandated to report suspicions of financial abuse while financial institutions in Florida that fail to report suspected financial abuse can face criminal penalties (Carter et al., 2014). Banks have not been enthusiastic about mandatory reporting laws due to concerns over their compatibility with client confidentiality laws (Black, 2012). However, guidance issued by eight different federal regulators in the US clarified unequivocally that reporting suspicions of financial abuse does not violate American customer privacy laws (Consumer Financial Protection Bureau, 2016). Despite this, in terms of efficacy, mandatory reporting laws have been criticised due to the absence of a standardised definition of what financial abuse is making it difficult to identify and, therefore, report (Rabiner, O’Keeffe, & Brown, 2004).

In the UK, there is no mandatory reporting requirement for financial abuse and until the passing of the Care Act 2014, there was no statutory requirements with regard to elder abuse in general (Graham et al., 2016). The Care Act (2014) follows on from the ‘No Secrets’ policy which was the template for adult safeguarding throughout the UK and defines financial abuse (or material abuse) as:
“…theft, fraud, internet scamming, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits” (Department of Health (DH), 2014).

Vulnerable adults in the UK are also afforded protection under the Mental Capacity Act (2005), the Fraud Act (2006) and Safeguarding Vulnerable Groups Act (2006). The Mental Capacity Act (2005) focuses on empowering all adults to make their own decisions with regard to their finances as well as their health and stipulates that capacity must be assumed unless proven otherwise (Crosby et al., 2008). The Fraud Act (2006) outlines offences that constitute fraud which could offer additional protection for older people who are at risk of falling victim to fraud (Crosby et al., 2008; Olivier et al., 2016). These legislative developments have served to raise awareness of financial abuse of vulnerable adults but a greater understanding of the phenomenon is needed among professionals to improve detection and reporting (Olivier et al., 2016).

In Ireland, theft and fraud are legislated by the Criminal Justice (Theft and Fraud Offences) Act, 2001. In addition, the Assisted-Decision Making and Capacity Act (2015), which is currently being phased in, has implications for vulnerable adults with regard to reducing the risk of financial abuse and for agencies and organisations working with vulnerable adults with regard to assessing capacity. In keeping with this research study, the Act articulates capacity as the ability to understand the components and the consequences of a decision at the time the decision is being made (Inclusion Ireland, 2016). For professional bodies such as the banking sector, new changes to the Power of Attorney arrangements introduced by the Act as well as the decision-making support options are of particular note and banks will need to incorporate these into their codes of practice. Moreover, the proposals to establish a National Authority for Safeguarding Adults within a recent Oireachtas Bill (Adult Safeguarding Bill, 2017) has the potential to further influence safeguarding policy and practices in Ireland.

2.3.2 Financial abuse of vulnerable adults and policy

Policy frameworks that address financial abuse of vulnerable adults tend to focus on adult safeguarding and empowering adults at risk to protect themselves from abuse and exploitation. Though concerned with safeguarding from abuse in general, all policy documents also provide specific guidance on financial exploitation. Informed by the Care Act 2014, local health authorities in the UK have developed policies to prevent and reduce the risk of all forms of abuse affecting adults at risk. In Northern Ireland, an adult safeguarding policy document published in 2015 establishes a human rights framework and focuses on empowering adults who may be at
risk of harm to manage their own health and well-being and protect themselves from harm (DHSSPS & DoJ, 2015). Northern Ireland also revised its capacity legislation in 2016 (Mental Capacity Act, 2016). In England and Wales, the Office of the Public Guardian (OPG) has a safeguarding role under the Mental Capacity Act (2005) and in 2013 issued a policy document which outlines the OPG’s responsibilities with regard to safeguarding people who might be vulnerable to harm as well as guidelines to support staff in recognising and responding to incidences of abuse (including financial) (OPG, 2013). Both policy documents identify the important role of awareness raising and working with other organisations (such as police and financial services) in tackling abuse of adults at risk and are important resources for professionals in how best to approach the issue.

In Ireland, the HSE has outlined their policy toward safeguarding of adults at risk in their publication entitled Safeguarding Vulnerable Persons at Risk of Abuse: National Policy and Procedures (Health Service Executive, 2014). Though the focus is on staff within the social care division, the document provides clarity with regard to reporting structures within the HSE in cases of suspected abuse of vulnerable persons as well as outlining how abuse is defined within the service and how those vulnerable to abuse are identified. According to the policy document, vulnerable adults “may be restricted in capacity to guard himself/herself against harm or exploitation or to report such harm or exploitation” and should be empowered to protect themselves (Health Service Executive, 2014; p5). However, the document is clear that the capacity of the vulnerable person must always be assumed unless otherwise proven and that making a decision that another might think unwise is not in itself a sign of cognitive impairment (Health Service Executive, 2014). Though the primary audience for this policy document is HSE staff and health and social care staff in general, it is also applicable to family, friends and members of the public in terms of its approach to identification and reporting. In light of the implications of the Assisted Decision Making and Capacity Act (2015), the HSE are currently reviewing their adult safeguarding policy.

2.4 Identifying financial abuse

Much of the research on identifying financial abuse of vulnerable adults is focused on risk factors at an interpersonal level; the victim/perpetrator dyad (Naughton & Drennan, 2016). These include a focus on the nature or quality of the relationship between the two parties (Conrad et al., 2011; Rabiner et al., 2004), as well as attributes of both that increase the risk of financial abuse. Identifying risk factors for financial abuse is key to both detection and prevention of financial abuse of vulnerable adults (Rabiner et al., 2006). Where financial abuse is suspected,
screening tools are sometimes utilised to substantiate that abuse is likely occurring which generally triggers action by designated responsible persons within a particular organisation in accordance with their codes of practice. Key risk factors and the types and efficacy of screening tools are discussed in the subsequent sections.

### 2.4.1 Risk factors

As mentioned above, research into financial abuse has tended to focus on identifying risk factors at the interpersonal victim/perpetrator level; what are the characteristics of the victim that render them more susceptible to exploitation and what is the nature of the relationship between the victim and perpetrator? Ambiguity with regard to defining financial abuse has led to a proliferation of risk factors within the literature with the review carried out by the NCPOP in 2012 identifying upwards of 50 (Fealy et al., 2012). Some of the more common risk factors that have emerged from the research are presented below. Such risk factors represent what the Canadian Foundations for the Advancement of Investor Rights and the Canadian Centre for Elder Law (2017) entitle ‘social vulnerability’.

**Ageing and Cognitive Decline**

Though not all older people are vulnerable, ageing can bring with it challenges and circumstances that can increase a person’s vulnerability to financial abuse (Pinsker, McFarland, & Pachana, 2010). Older people are often targeted for financial abuse because they are more likely to have large amounts of savings or assets (Kirchheimer, 2013). In addition, older people are more likely to suffer from cognitive decline which can make them more susceptible to financial exploitation (AgeUK, 2016; Fealy et al., 2012). Any decline in cognitive ability can have a huge impact on a person’s capability in managing their own finances appropriately (Alzheimer’s Society, 2011; Lichtenberg et al., 2016). Financial capacity is one of eight domains of capacity and refers to a persons’ ability to manage their financial affairs “in a manner that is consistent with self-interest and personal values” (Pinsker et al., 2010, p. 333). A total of 18 key abilities across 9 domains are associated with financial capacity ranging from simple tasks like naming units of currency to more complex tasks that require an understanding of financial concepts (Gardiner et al., 2015). Older people with Alzheimer’s, Parkinson’s disease, frontotemporal dementia and mild cognitive impairment are most at risk for decline in financial capacity (Gardiner et al., 2015). This in turn renders this cohort vulnerable to financial exploitation and more susceptible to undue influence and consumer fraud (Gardiner et al., 2015). Equally, people who have intellectual disability, acquired brain injury, mental health issues may also have difficulties with capacity (Canadian Foundations for the Advancement of
Financial capacity exists on a continuum with complete autonomy on one end and substitute decision making on the other and can fluctuate making identification challenging (Gardiner et al., 2015; Pinsker et al., 2010). Challenges with financial capacity can also be long term or episodic. Unlike other capacities, financial capacity is particularly affected by the onset of dementia and can be lost at earlier stages of the disease (Peisah et al., 2016). This can further inhibit identification of decline in financial capacity due to the fact that other capacities remain intact and as a result it is often not detected in time to avoid financial losses (Gardiner et al., 2015).

Cognitive impairment can result in other vulnerabilities that put individuals at risk from financial abuse. As dementia symptoms worsen, dependency on others in the completion of daily tasks increases creating opportunities for exploitation and reducing the likelihood of the victim reporting abuse for fear of losing needed support (Naughton et al., 2010). Recent figures published by the Central Statistics Office in 2017 indicated that 4.1% of people in Ireland provide unpaid care to family, friends or neighbours, up 4.4% since 2011 (CSO, 2017a). There are an estimated 55,000 people living with dementia in Ireland at present and this number could increase to as much as 132,00 by 2041 resulting in a growing cohort of Irish people at risk of financial abuse due to a combination of cognitive decline and increased dependency (Pierce & Cahill, 2014)

**Disability**

Conditions such as poor physical and mental health as well as having an intellectual disability are associated with vulnerability and place individuals at increased risk of financial exploitation (Naughton et al., 2010). As with ageing and cognitive decline, having a disability can increase a person’s vulnerability to abuse and exploitation as they may be dependent on someone else for help with daily tasks (Health Service Executive, 2014). Recent census figures (CSO 2017b) indicate that that there are currently 643,131 people with a disability living in Ireland with 224,388 of those aged over 65 years, an increase of 20,319 since 2011. The CSO (2017b) also demonstrates that 195,263 people provide unpaid care to others in Ireland.

**The Relationship between the Victim and the Perpetrator**

When assessing whether an individual is at risk of financial exploitation, it is also worth considering the quality and nature of the relationship between them and the suspected perpetrator. As was articulated above, if the relationship is characterised by dependency this can increase the level of risk for abuse as the victim may not feel in a position to reveal that abuse is taking place or, in the case where there is a history of abuse, not even recognise that
the situation is abusive (Naughton et al., 2010). In cases of familial abuse, studies have shown that the most common perpetrator is an adult child where, as we saw earlier, a sense of entitlement to the vulnerable person’s assets results in abusive and exploitative behaviour (Conrad et al., 2011).

When it comes to scams, the relationship is a new one and the vulnerable adult is lured with the promise of some desirable advantage. The advantage in question may be financial but it might also be continued communication with the perpetrator; this is most common in so-called ‘Sweetheart Scams’ which often target lonely older men and acts of ‘befriending’ in the case of younger adults at risk (Olivier et al., 2015). Victims of scam artists are often reluctant to report fraudulent activity to authorities in part due to embarrassment and in some cases due to a refusal to believe that the activity is a scam. By the time it is discovered and reported it is often the case that large sums of money have already been lost and it can be difficult if not impossible to recover these assets (Naughton et al., 2010; Olivier et al., 2015).

### 2.4.2 Screening

Research has shown that detection is confounded by a lack of understanding of and training in relation to financial abuse among professionals encountering it (Rabiner et al., 2005). However, as has been outlined earlier, the absence of consistent definitions of financial abuse of vulnerable adults and the proliferation of risk factors create challenges when developing awareness campaigns and training protocols. Given the psychological and financial impacts of financial exploitation it is imperative that adequate and early detection is prioritised. Given that financial abuse is often a hidden phenomenon (Van city 2014), screening has come to be considered a key component of any policy that aims to detect and address this abuse (Reeves & Wysong, 2010). The development of screening tools to detect financial abuse utilises evidence based indicators of financial abuse to assist health professionals and social care staff to recognise the signs of financial abuse and to identify those who may be vulnerable to exploitation (Conrad, Iris, & Ridings, 2009). However, despite the recognition of the important role that screening plays in detecting financial abuse, there are very few screening tools available that specifically target this form of abuse. Currently, the only validated financial abuse screening tool related to adults at risk is the Older Adult Financial Exploitation Measure (OAFEM) which targets older people specifically (Conrad et al., 2010). The tool was piloted in Ireland in 2013 and demonstrated efficacy in substantiating financial abuse of older people for whom a suspicion of financial abuse had been raised (Phelan et al., 2014).
In developing a new screening tool, Lichtenberg et al. (2016) argued that the assessment of an older person’s financial decision making capacity provides a unique opportunity for intervention and possible prevention. While there is currently no universal standard for assessing financial capacity, Martin et al. (2008), Marson et al. (2009), Lichtenberg et al. (2016) and Pinsker et al. (2010) offer potential approaches. For example, because financial capacity may be in decline while other capacities remain intact, Lichtenberg et al. (2016) developed a screening tool that measures the person’s capacity to make a particular impending financial decision rather than one in retrospect or a hypothetical scenario as is the case with other screening tools. The authors argue that by measuring decision-making capacity with regard to specific financial dilemmas facing a vulnerable person, the tool can better detect subtleties with regard to cognitive decline and capacity.

Research has shown that efficacy of screening tools is greatly increased when they are incorporated into existing general assessments of at risk adults within the health and social services departments (Reeves & Wysong, 2010)

2.5 Prevention strategies

Money management programmes, multi-disciplinary and inter-agency approaches as well as work with financial institutions have all been identified as sensible measures to effectively tackle financial abuse of vulnerable adults.

Empowering vulnerable adults to manage their own finances safely through money management programmes has been shown to be an effective tactic in addressing financial abuse (Nerenberg, 2008). These programmes can be particularly relevant for individuals who have or are perceived to have reduced financial capacity and focus on supporting individuals with routine tasks such as paying bills as well as more complex tasks such as budgeting or managing multiple accounts (Setterlund et al., 2007). The advent of personalised budgets for adults with intellectual disabilities means money management programmes are well placed to facilitate the needed cultural shifts as well as changes in practice that will be required as vulnerable adults become purchasers of caring services (Moran et al., 2013). Ultimately, these programmes have the potential to empower adults at risk to maintain control over their assets which can in turn make them less attractive targets for perpetrators.

Multi-disciplinary teams have been shown to increase prosecution rates for financial abuse (Navarro et al., 2013). Due to the multifaceted nature of financial abuse, diverse teams with expertise in numerous areas can impact how financial abuse is identified, investigated and
responded to (Reeves & Wysong, 2010). Examples of this approach include the Financial Abuse Specialist Team (FAST) which has incarnations across the US. The teams comprised members from law enforcement, lawyers, the banking sector, adult protective services personnel among others. Members of these teams would meet monthly and review cases that had come to the attention of the adult protective services and developed strategic plans to address suspected cases of financial abuse identified (Allen 2008; Malks et al. 2003; Lowndes et al., 2009). One FAST team in Santa Clara, California reportedly prevented the loss of and/or recovered $195 million in assets since it was established in 1999 (Office of the County Executive 2013). Although the examples outlined above were focused on the financial abuse of older people, the approach has applicability to investigating financial abuse of all vulnerable adults.

The financial sector has an important preventative role to play in tackling financial abuse of vulnerable adults. Frontline banking staff are well placed to detect irregularities in an adult at risk’s finances and are in a unique position to assist in protecting customers from exploitation (BITS Fraud Reduction Steering Committee, 2006). However, a number of factors undermine the sector’s ability to effectively address financial abuse of vulnerable adults. These include balancing their commitment to provide a duty of care to their customers by both ensuring that they are protected from financial exploitation while also protecting customer privacy when it comes to disclosing suspected exploitation to external agencies (Choi et al., 1999). In addition, a lack of consistency in how financial abuse of vulnerable adults is defined can be challenging when training front line staff on how to recognise customers at risk of financial exploitation.

### 2.6 Financial Abuse and Banks

#### 2.6.1 Role of financial industry

As was outlined earlier, detection and reporting rates for financial abuse of older people are low. In efforts to address this problem the banking sector has been identified as having an important and unique role (Black, 2012; Chandaria, 2011; Fealy et al., 2012; Canadian Foundations for the Advancement of Investor Rights and the Canadian Centre for Elder Law 2017). Banking staff are well placed to identify the early signs of financial abuse or that a customer is displaying signs of vulnerability to exploitation (Chandaria, 2011). Due to the difficulties in detecting financial abuse, by the time social services are aware of and have intervened in a case of financial abuse, it is often too late and the vulnerable person has already lost a significant amount of money (Bond et al., 2000). Difficulties with detection are compounded by the fact that health and social services professionals can often find it difficult to discuss financial matters with a vulnerable person due to the private nature of the subject and a lack of familiarity with certain
aspects of financial management (Cairns et al., 2011; Chandaria, 2011). In contrast, banking staff are well placed to both identify and discuss irregularities in a person’s account that are a cause for concern.

Financial service involvement in reporting of suspected financial abuse is generally framed within the context of a duty of care approach (Cairns et al., 2011; Gilbert et al., 2013). Research conducted with banking staff in the UK found that protecting a customer’s finances was a key priority for financial institutions and that their comprehensive approach to suspicions of financial abuse was a result of a high level of diligence toward their customers in this regard (Cairns et al., 2011). However, concerns around data protection and client privacy are also components of this duty of care approach and research has shown that banking staff are often uncomfortable reporting private financial matters to outside agencies (Harries et al., 2013).

The development of age-friendly banking has been identified as a way in which the financial industry and support efforts to protection from and prevention of financial abuse. A report released by Age UK and the AARP in the US outlined measures that could be taken by banks to tackle financial abuse of older people. Based on the cumulative findings of previous research and a series of workshops with older people, the report identified areas where banks could make changes to reduce the risk for older people with regard to their finances. The increase in new banking technologies and the continued pattern of branch closures were identified as factors that inhibit the financial capacity of older people and place them at increased risk for financial abuse as they turn more to others to assist them with the management of their money (AgeUK, 2016). In addition, the increase in scams and mass marketing fraud targeted at older people was identified as an area where the banking sector could play a protective role. Recommendations from the report included the use of mobile banking units, especially in more rural communities as well as training for staff to better identify and support those affected by financial abuse (AgeUK, 2016). With regard to fraud, the report proposes implementing 48 hour stoppages on payments they suspect as being fraudulent and providing ongoing and up-to-date information to older customers about scams that are currently operating (AgeUK, 2016).

2.6.2 What is the sector doing with regard to financial abuse?

Evidence from the literature highlights the efforts that the financial sector has made to respond to calls for greater involvement in tackling financial abuse of vulnerable adults (Canadian Foundations for the Advancement of Investor Rights and the Canadian Centre for Elder Law 2017). These responses fall into two categories;

- identification/protection
• prevention

Though training was a component of all responses identified in the literature, those that were concerned with prevention included additional elements as part of the initiative.

As outlined above, frameworks of understanding that focus on victims of financial abuse are concerned with risk factors and prevalence rates (Conrad et al., 2011). The literature identified a number of examples of interventions that aimed to develop and/or provide training for banking staff on recognising the signs and symptoms of financial abuse with a view to protecting vulnerable customers. The Elder Financial Exploitation Prevention Project in Oregon is a toolkit that is available online to financial institutions to support them in training their staff to identify and respond to financial abuse of older people (Peisah et al., 2016). It includes a DVD or online video guides on how to recognise financial abuse as well as training materials that can support in-branch training sessions with financial services staff (AgeUK, 2016).

A fraud prevention programme was initiated by the First National Bank in Texas. Taking a three pronged approach to the problem of scams targeting older people the bank started the ‘Fraud Busters’ programme which involved training and supporting staff in the detection of fraud, liaising with law enforcement in order to apprehend perpetrators and engaging in community outreach through educational sessions on fraud awareness aimed at older people (AgeUK, 2016).

Taking a multi-agency approach to tackling financial abuse of older people, the proliferation of FAST (Financial Abuse Specialist Teams) across the US has been found to have been effective in increasing detection rates of financial abuse (Crosby et al., 2008; Fealy et al., 2012). The strengths of the FAST approach are that they can address all facets of a financial abuse scenario including the freezing of accounts should such action be warranted (Crosby et al., 2008).

In Ireland, banking policy regarding vulnerable customers is informed by the Consumer Protection Code (Central Bank of Ireland, 2012) which articulates a duty of care approach for financial institutions in relation to this population. Similar diligence has been identified internationally. For instance, in Quebec, Canada a vulnerable investor is described as:

‘...a person who is in a vulnerable situation, who is of the age of majority, and lacks an ability to request or obtain assistance, either temporarily or permanently, due to one or more factors such as a physical, cognitive or psychological limitation, illness, injury or handicap.’ (Canadian Foundations for the Advancement of Investor Rights and the Canadian Centre for Elder Law 2017:5).
In the UK, the Financial Conduct Authority (2016) provides a definition and guidelines regarding services to vulnerable customers. Equally, banks in Ireland have developed internal protocols available to all staff to assist them with both the identification of and engagement with vulnerable customers (BPFI Correspondence 2017). Training, both online and face-to-face is also provided to all staff in relation to financial abuse, fraud and vulnerable customers and banks in general are vigilant in ensuring staff are kept abreast of changes to policies or legislation in this area (BPFI Correspondence 2017). Finally, there is evidence of innovative approaches by banks in tackling fraud and scams, especially with regard to vulnerable customers. Examples include banking personnel with responsibilities for vulnerable customers in the community provide educational outreach to raise awareness of fraud and scams that target vulnerable groups as well as collaboration with the HSE and An Garda Siochana in relation to both training and awareness raising (BPFI Correspondence 2017). Though practices vary from institution to institution it is fair to say that sector in Ireland is proactive in tackling the issue of financial abuse and vulnerable adults.

### 2.6.3 Areas for improvement

A report released by the Alzheimer’s Society in the UK explored the role of banks in supporting people with dementia to protect themselves from financial abuse (Chandaria, 2011). The report notes that banks have an important role to play in preventing financial abuse but that a lack of awareness and knowledge about dementia and their responsibilities under the capacity legislation were an impediment to this. Carers and health professionals in the study reported significant difficulties with banks with regard to managing the finances of a person with dementia. For carers, a number experienced difficulties with regard to power of attorney with variations across banks in their understanding of what access attorneys have to a person’s finances. This frequently resulted in carers and the person they care for being in vulnerable positions and without access to finances. For safeguarding staff, a reluctance to share information with regard to possible financial abuse due to concerns or uncertainty around data protection laws was identified as an additional barrier to effective safeguarding of vulnerable adults with regard to financial abuse. The recommendation is that banks need more training in dementia awareness and around the mental capacity act and all that it entails for banking—also suggested the merits of having a nominee safeguarding officer in each branch to whom staff can go to when they have concerns around financial abuse (Chandaria, 2011).

Similar concerns were raised in a report by Age UK and the AARP (AgeUK, 2016; Canadian Foundations for the Advancement of Investor Rights and the Canadian Centre for Elder Law 2017). Recent shifts in banking services away from in-branch activities to online banking were
a concern for the report authors. From workshops and surveys with older people, it was reported that older people found online and telephone banking daunting and remembering pin numbers and log in details challenging (AgeUK, 2016). As articulated earlier, this can undermine an older person's financial capacity and therefore put them at risk for exploitation. The report advocates the proliferation of efforts such as the mobile banks operated by the Royal Bank of Scotland since 1946 (AgeUK, 2016). These mobile units provide face-to-face banking services for customers who cannot access their nearest branch and serve an estimated 600 communities every week across the UK.

In 2017, the Canadian Foundations for the Advancement of Investor Rights and the Canadian Centre for Elder Law (2017) published a report on vulnerable investors with a particular focus on those with capacity challenges and those under undue influence. Six recommendations were proposed as detailed below.

- **Trusted Contact Person:** On opening a new account or at the nearest opportunity for current customers, without obligation, financial institutions should request the name of a trusted contact person. This should be reviewed annually.

- **Temporary hold on trade and disbursements:** Financial institutions impose a rule that provides for a qualified person to place temporary hold on account of a vulnerable adult where undue influence has, is or may be attempted or where it is reasonably believed that the vulnerable adult has capacity to provide instruction. Provision for routine payments remains intact, unless such payments significantly deplete funds.

- **Legal Safe Harbour:** Regulators should provide a safe legal harbour if actions of the financial institutions have occurred in good faith and reasonable care has been executed in disclosing concerns to relevant sectors (specified government agency, police). This should include the placement of a temporary hold on accounts when regulatory requirements are met.

- **Conduct Protocol:** A conduct protocol should be developed by Canadian securities regulators to identify key points and appropriate steps that should be taken to distinguish vulnerable customers. This can then be cascaded into local policy with the reassurance of regulatory guidance.

- **Education and Training:** Firms provide competency and proficiency based education and training to staff and their representatives in the areas of elder abuse, undue influence, capacity issues, power of attorney and ageism. Regulators should
take the lead in providing content and guidance related to competencies as well as acting to monitor and ensure compliance in such proficiencies and competencies.

- **Firms become familiar with outside resources and responders**: Firms need to be knowledgeable of appropriate inter-sectoral external agencies and responders and au fait with how and when to refer to these external agencies when there is a suspicion of financial abuse, undue influence or capacity challenges.

### 2.6.4 Research in the field

A review of the literature revealed limited research regarding banking and the financial sector. However, three studies were identified: research with banking staff in the UK that explored decision making processes with regard to financial abuse; the development of an educational tool to increase knowledge among banking staff in Australia regarding financial abuse; and an exploratory study carried out in Ireland that focused on awareness of financial abuse through surveys with older people and banking staff.

Acknowledging the emphasis on training for banking and other professionals as part of a strategy to address financial abuse, researchers at Brunel in the UK have questioned the evidence base for much of the training available to organisations (Harries et al., 2013). The research team hypothesised that low reporting rates for financial abuse were related to aspects of the decision making process that takes place when a professional encounters a case of financial abuse. With no research available that looked at the decision making processes surrounding financial abuse cases, a study was designed to identify the cues that alert non safeguarding staff to financial abuse and the barriers encountered in responding to it (Gilhooly et al., 2013). Using a ‘bystander intervention’ framework, the study comprised three phases; the first phase involved in-depth interviews with social work, health and banking professionals, the second phase used factorial surveys using scenarios developed from the first phase and aimed to identify the factors that led to a judgement of financial abuse and the third phase involved a review of procedures in order to provide comparisons between policy and practice (Davies et al., 2011). With regard to banking professionals, the main decision cues identified were; the nature of the financial problem suspected (scam etc.); the persons mental capacity and who was in control of the persons accounts (Gilhooly et al., 2013).

As outlined earlier, financial capacity is correlated with financial abuse. As a ‘higher order’ cognitive task it has been shown to decline earlier in a dementia diagnosis. This creates an increased risk for the older person who may not be demonstrating other outward signs of cognitive decline but who’s financial capacity is impaired (Peisah et al., 2016). Acknowledging
that financial services staff are well placed to identify early signs of cognitive decline, a research team in Australia developed and online educational tool aimed at improving the knowledge of banking staff of financial abuse and financial capacity in particular (Peisah et al., 2016). Though further testing of the tool is needed, it demonstrated potential as an effective way of transferring knowledge about the topic to banking staff.

Informed by the UK study identified above, AgeAction Ireland conducted a study in 2015 on the experiences of banking staff with regard to suspected financial abuse of older customers. The study used online factorial surveys to explore awareness and experience of financial abuse among banking staff (n=493). The survey results revealed a high level of knowledge of financial abuse among staff surveyed, especially those who had been working within the organisation for more than 10 years, with 52% indicating they had encountered a case of financial abuse in the past 12 months (AgeAction, 2015). As identified in research elsewhere, concerns regarding data protection were identified as challenges affecting reporting among the Irish banking staff surveyed. Having already discussed the negative impact that bank closures have had on older people in the UK, it was interesting to note that those surveyed in the Irish study reported high levels of in-branch interactions with older clients providing a potentially preventative effect (AgeAction, 2015; AgeUK, 2016). Findings from the report also identified supports that staff felt would assist them in addressing cases of financial abuse; these included staff awareness training and the use of case examples in place of prescribed guidelines to enable staff to better identify more complex or nuanced cases of financial abuse. When asked what would help them in this regard, 74% said resources with tips and signs to look out for would be helpful while 71% said more staff awareness training.

2.7 Conclusion

This chapter has provided an overview of research and policy relating to financial abuse of vulnerable adults as well as evidence of current approaches to prevention, detection and reporting in both Ireland and internationally. The majority of the research on financial abuse has focused on older people rather than adults at risk in general and there have been few studies that have focused on financial abuse exclusively, though this is improving. However, it is worth noting that much of literature relating to financial abuse of older people is transferable to the study of adults at risk in general.

The literature highlights an upward shift in vulnerable adult populations both in Ireland and elsewhere and a corresponding increase in attention given to the subject by policy makers, researchers and advocates. However, challenges remain with regard to how financial abuse is
defined and understood and therefore how it is identified and reported. A lack of uniformity in defining financial abuse of vulnerable adults has confounded prevalence rates and undermined efforts to tackle the issue. Despite this, the literature indicates that a number of approaches have been shown to be effective in protecting against financial abuse of vulnerable adults; money management programmes, working with multi-disciplinary teams and engaging the banking sector as first responders. The important role that banks can play both in early detection as well as prevention has been highlighted. The limited research carried out on the role of the financial sector in tackling financial abuse of vulnerable adults indicates an effective and unique role for banking staff in educating vulnerable customers about the risks to their finances as well supporting at risk adults with changes to banking practices enabling them to protect themselves from financial exploitation. Evidence from the UK and US would suggest that with appropriate training coupled with effective policy and supported by appropriate legislation, banks can be effective first responders to this phenomenon.
3 Chapter Three: Study Design

3.2 Introduction

This chapter describes the methods used to examine awareness and experience of financial abuse of vulnerable adults among banking staff in the Irish banking sector. It outlines the chief aims and objectives of the study and details the sampling strategy, data collection methods and instruments as well as the data analysis.

3.3 Study aims and objectives

The overall aim of the study was to explore the experiences of recognising and responding to financial abuse of vulnerable adults among frontline banking staff working across five financial institutions in Ireland. Frontline banking staff were understood as all those who deal directly with public/customers at branch level, customer service or by phone/internet. This includes cashiers, customer advisors, mortgage service staff, business support as well as branch and regional management. The study also included interviews from five members of the National Safeguarding Committee, who were able to provide a more global context for financial abuse in the banking system drawing on their perspectives from diverse disciplinary backgrounds.

The key objectives were:

1. To survey frontline banking staff across the participating financial institutions to ascertain their experiences of encountering financial abuse of vulnerable customers and to explore their understanding and recognition of potential financial abuse.

2. Conduct interviews with senior branch banking staff in order to understand how they perceive their role and responsibilities in relation to vulnerable adult protection and the contextual factors which influence staff recognition of and response to potential financial abuse of vulnerable customers.

3. Conduct interviews with members of the National Safeguarding Committee to enable a broader contextual understanding of financial abuse of vulnerable adults in connection to the experiences of financial institutions.

4. Based on the findings to make recommendations in relation to how banking institutions can consolidate existing good practice in relation to protecting vulnerable customers and to enhance the capacity of all frontline staff to recognise and respond to potential abuse of vulnerable customers.
3.4 Data collection

The study design for this project combines descriptive survey exploration with qualitative investigation of frontline banking staff experiences and knowledge of recognising and responding to the financial abuse of vulnerable adults. Data were collected in the form of responses to an online questionnaire measuring frontline staff demographic characteristics, their experiences of financial abuse as well as their knowledge and recognition of financial abuse of vulnerable customers. In addition, semi-structured interviews were conducted with frontline senior/management staff in order to ascertain the types of financial abuse cases that are encountered on the frontline as well as the contextual factors that influence staff recognition and response to financial abuse. Qualitative data collection also involved the conduct of semi-structured interviews with members of the National Safeguarding Committee (NSC) to provide macro perspective of financial abuse of vulnerable adults and experiences of banks. Established in 2014, the NSC is a multi-agency and inter-sectoral body with an independent Chair whose focus is to provide leadership in an integrated response to the safeguarding of vulnerable adults in Ireland.

3.4.1 Survey design

The survey was developed in consultation with the BPFI and administered using Bristol Online Survey platform via email to frontline branch level staff as well as those working in customer call centres during the summer of 2017. The survey comprised of three components measuring demographic characteristics, previous experiences of financial abuse and knowledge, recognition and response to potential abuse.

Section A: Collected demographic information including respondents’ gender, age, job role and place of work as well as their length of time working in the banking profession.

Section B: Captured staff professional experiences of financial abuse in their professional role. Specifically the survey measured whether the respondents had previously suspected the financial abuse of a customer and what their response to that suspicion was.

Section C: Captured responses to five scenarios adapted from the work of Davies et al. (2011). These scenarios depicted potentially vulnerable adults in precarious situations where they may be experiencing some degree of financial abuse. The respondents were asked to specify their degree of certainty that abuse was occurring in this scenario as well as their likelihood of taking action in response to this situation.
3.4.2 Design of semi-structured interview

The semi-structured interviews were based on a flexible topic guide. The topic guide included questions on eliciting understanding of how participants defined a vulnerable adult, what constitutes financial abuse and cases experienced of financial abuse. It also sought to elicit how cases were responded to, contextual issues in cases and in the service delivery to vulnerable adults, challenges in case management and positive practices. Interviews were flexible and responsive to enable probing of the emerging issues and inclusion of areas not covered in the topic guide.

3.4.3 Sampling strategy

All frontline bank staff who work directly with public/customers at branch and/or customer service level were eligible for inclusion in this study. It was necessary to consider data protection issues in developing the sampling strategy. Specifically, banking institutions are prevented from sharing staffing information with third parties preventing third parties from directly contacting bank staff. It was agreed that an online survey administration would be most suitable to access the study population via an internal email. In consultation with the BPFI, it was estimated that the target population size across all five participating institutions, accessible via internal email, was 6650.

Based on an estimated target population size of 6650 and a 95% confidence level, the achieved sample size of 898 provides a confidence interval of +/-3%. This is based on the following sample size formula:

\[ SS = \frac{(Z^2(p))(1-p)}{C^2} \]

- Where \( Z^2 = 1.96 \) (for a 95% confidence level)
- \( P = 0.5 \) (worst case scenario percentage picking choice)
- \( C = 0.03 \) (Confidence interval expressed as decimal +/- 3%)

Therefore, with an achieved random sample size of 898 we can be 95% confident that the true percentage of the population would lie between +/- 3% of the percentage of the sample that answered yes or no to a particular question.

When designing the qualitative interview component of the study, a purposive sampling strategy was selected to ensure that only staff with upwards of 5 years’ experience at managerial level were identified and invited to participate. In coordination with our BPFI contact, 38 interviewees were identified as meeting the inclusion criteria and, based on ensuring a proportionate market
share in Irish banks and a regional, urban and rural representation, 20 bank staff were invited to participate. Nineteen of these were bank managers and one was a banking specialist in vulnerable adult cases. For the purposes of anonymity, the reporting of findings only uses the term bank manager.

A letter of invitation to participation was circulated to the Chair of the NSC to recruit NSC members. Five responded and participated in the study.

3.4.4 Procedures

Survey: An online survey was developed using the Bristol Online Survey suite and a link to the survey was generated. The research team liaised with the BPFI who acted as the mediator between the five institutions and the researchers in administering the survey via internal email. Working with a designated gatekeeper within each bank, the BPFI liaison identified the best approach to administration with regard to banking security protocols. In order to accommodate firewall and security protections a password protected link to the survey was hosted on the website of the NCPOP for the duration of the data collection period (five weeks). An email invitation containing a link to the NCPOP website was circulated to targeted frontline staff through gatekeepers in each of the five banking institutions. A second reminder email was circulated once the survey had been live for two weeks. For the purposes of post-stratification weighting, institution identifiers were collected but are not reported due to requirement for inter-institution anonymity.

Interviews: An invitation to participate in the interviews was circulated via the BPFI coordinator to eligible participants across the 5 banks. Those interested in participating were asked to contact the project PI and arrange a date and time for the interview to take place. A total of 25 interviews took place. All banking staff were given the code BM while staff from the safeguarding committee were give the code NSC.

3.4.5 Ethical considerations

Ethical approval was sought and obtained from the UCD Human Research Ethics Committee (HREC). Due consideration was given to data protection priorities within the banking institutions and permission to collect bank identifiers was permitted on the condition that such information would not be made public and would be destroyed once the study was complete. With regard to the safe management of online data, Bristol Online Survey was chosen at the recommendation of the UCD HREC as it is fully compliant with European Data Protection regulations, unlike Survey Monkey.
With regard to the interviews with banking personnel, prospective participants were invited via the BPFI coordinator and once an expression of interest was made, an information and consent sheet was provided. Participants were given adequate time to consider their involvement in the study and to have their questions answered. Interviews were digitally recorded with the participants’ permission and were transcribed. Transcriptions were de-identified to ensure anonymity was protected.

In addition, the governance of the study was guided by a BPFI Project Steering group, with constituent members of participating banks. This group met on a total of five occasions.

3.5 Data analysis

All survey responses were stored within the Bristol Online Survey application and once the survey had closed, were downloaded into excel where the dataset was cleaned for data analysis. The data was then uploaded into Statistical Package for the Social Sciences (SPSS V20). Descriptive statistics, including frequencies and measures of central tendency were calculated to describe and summarise the data. Data were cross-tabulated and chi-square tests of independence were performed to examine the relationships between demographic variables and dependent categorical variables including previous suspicion of financial abuse and types of responses taken. Non-parametric comparison of means was undertaken to examine the relationship between demographic grouping variables and the responses to the five different scenarios depicting potential financial abuse.

Once completed, interviews were inputted into Nvivo 10 ©, to assist with data management. Analysis was guided by Braun and Clarke’s (2006) thematic content analysis which explores the data for the purpose of illuminating themes, which are then organised, described and interpreted (Braun and Clarke 2006:79). Braun and Clarke’s six-stage approach was used:

- Familiarisation with the data
- Coding
- Searching for themes
- Reviewing themes
- Defining and naming themes
- Writing up.
3.6 Conclusion

This chapter presented the approach taken to answering the research questions posed by this study. Using a mixed-methods approach to data collection, the research team designed and administered an online survey aimed at measuring awareness and experience of financial abuse among banking staff as well as staff abilities to identify suspicious customer behaviour. Qualitative interviews provided contextual data as well as important insights into findings highlighted by the survey results.
Chapter Four: Survey Findings

4.2 Introduction

This chapter presents the findings from a cross-sectional survey of front-line and/or customer facing banking staff working at branch level in the five participating banking institutions. The aim of this survey was to ascertain staff existing knowledge and understanding of the financial abuse of vulnerable adults as well as their recognition of financial abuse through scenario response analysis. An overview of the demographic characteristics of the sample (n=898) are presented first followed by a description of the findings pertaining to the sample’s experience of dealing with financial abuse. An overview of the sample’s responses to a series of case scenarios will then be presented followed by comparative data analysis.

4.2.1 Response rates and post-stratification weights

The online survey was distributed via email to all frontline and/or customer facing bank staff including cashiers, customer advisors, customer service staff as well as branch management staff. The estimated target population size across all five participating institutions was 6650. The achieved sample size for this study was 898; providing a 95% confidence interval of +/-3%.

The sample data was collected from five different banking institutions. Figure 1 compares the population and sample distribution across these institutions. The population figures were derived from estimates of the total banking staff eligible and targeted for this study (N=6650).
Figure 4:1: Comparison of population and sample distribution across five financial institutions

Post stratification weights were applied to the sample data in order to minimise the potential for bias which may arise from over or under sampling of banking institutions. This would allow the total sample to represent the target population with greater confidence. In the reporting, both weighted and unweighted figures are provided.

4.3 Demographic Information

The majority of the respondents (n=898) were aged between 35 and 44 years (36% weighted). The sample was composed of 69% women (weighted). Tables 4:1 and 4:2 provide the breakdown of age and gender of the sample in both weighted and unweighted percentages.

Table 4:1: Age distribution of survey respondents (n=898)

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Un-Weighted</th>
<th>Weighted</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-25 years</td>
<td>47</td>
<td>43</td>
</tr>
<tr>
<td>26-34 years</td>
<td>205</td>
<td>185</td>
</tr>
<tr>
<td>35-44 years</td>
<td>303</td>
<td>322</td>
</tr>
<tr>
<td>45-54 years</td>
<td>216</td>
<td>216</td>
</tr>
<tr>
<td>55 years and over</td>
<td>127</td>
<td>131</td>
</tr>
<tr>
<td>Total</td>
<td>898</td>
<td>895</td>
</tr>
</tbody>
</table>

Table 4:2: Gender distribution of survey respondents (n=898)

<table>
<thead>
<tr>
<th>Gender</th>
<th>Un-Weighted</th>
<th>Weighted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>297</td>
<td>280</td>
</tr>
<tr>
<td>Female</td>
<td>601</td>
<td>615</td>
</tr>
<tr>
<td>Total</td>
<td>898</td>
<td>895</td>
</tr>
</tbody>
</table>
The respondents were asked to report on their place of work as well as provide some information about their professional banking experience. The majority of the sample (81% weighted) was working at branch level including in a city, major town or small town with 9% (weighted) indicating they worked in a customer call centre. A further 10% (weighted) of respondents indicated they worked in another location and these sites included business centre and central office. Table 4.3 illustrates the distribution of the sample according to place of work.

Table 4.3: Distribution of survey respondents (n=898) according to place of work

<table>
<thead>
<tr>
<th>Place of Work</th>
<th>Un-Weighted</th>
<th>Weighted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branch in a city</td>
<td>250</td>
<td>239</td>
</tr>
<tr>
<td>Branch in a major town</td>
<td>205</td>
<td>221</td>
</tr>
<tr>
<td>Branch in a small town</td>
<td>246</td>
<td>266</td>
</tr>
<tr>
<td>Customer call centre</td>
<td>106</td>
<td>84</td>
</tr>
<tr>
<td>Other</td>
<td>91</td>
<td>86</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>898</strong></td>
<td><strong>895</strong></td>
</tr>
</tbody>
</table>

A majority of the sample (54% weighted) worked as a cashier, customer advisor or in customer service. A further 27% (weighted) were branch or bank managers with 19% (weighted) reporting that they worked in another role including assistant managers, branch support, business support, mortgage services as well as regional management.

Table 4.4: Distribution of survey respondents (n=898) according to job role

<table>
<thead>
<tr>
<th>Job Role</th>
<th>Un-Weighted</th>
<th>Weighted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branch/Bank Manager</td>
<td>225</td>
<td>240</td>
</tr>
<tr>
<td>Cashier/Customer Advisor/Customer Service Staff</td>
<td>490</td>
<td>484</td>
</tr>
<tr>
<td>Other</td>
<td>183</td>
<td>171</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>898</strong></td>
<td><strong>895</strong></td>
</tr>
</tbody>
</table>

A majority (40%, weighted) of the respondents had worked in their current role for greater than 11 years and 26% (weighted) were in their current role for less than two years. Table 4.5 shows the distribution of the sample according to how long they worked in their current role.

Table 4.5: Distribution of survey respondents (n=898) according to length of time in current role

<table>
<thead>
<tr>
<th>Time in Current Role</th>
<th>Un-Weighted</th>
<th>Weighted</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-2 years</td>
<td>245</td>
<td>237</td>
</tr>
<tr>
<td>3-5 years</td>
<td>161</td>
<td>163</td>
</tr>
<tr>
<td>6-10 years</td>
<td>140</td>
<td>138</td>
</tr>
<tr>
<td>11 years or more</td>
<td>352</td>
<td>358</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>898</strong></td>
<td><strong>895</strong></td>
</tr>
</tbody>
</table>
The majority of the respondents had more than ten years’ experience of working in the banking profession (76% weighted) with 9% having less than two years’ experience. Table 4:6 shows the distribution of the respondents according to length of service in the banking profession.

Table 4:6: Distribution of survey respondents (n=898) according to length of time working in banking profession

<table>
<thead>
<tr>
<th></th>
<th>Un-Weighted</th>
<th>Weighted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
</tr>
<tr>
<td>0-4 years</td>
<td>101</td>
<td>11.2</td>
</tr>
<tr>
<td>5-10 years</td>
<td>144</td>
<td>16.0</td>
</tr>
<tr>
<td>11-20 years</td>
<td>346</td>
<td>38.5</td>
</tr>
<tr>
<td>21 years or more</td>
<td>307</td>
<td>34.2</td>
</tr>
<tr>
<td>Total</td>
<td>898</td>
<td>100.0</td>
</tr>
</tbody>
</table>

4.4 Experience of Dealing with Financial Abuse

4.4.1 Suspicion of financial abuse of a customer

This section of the chapter provides the findings relating to the survey respondents’ experience of dealing with the potential financial abuse of customers. Figure 4:2 illustrates that a majority (67% weighted) of the respondents indicated that they had previously suspected that a banking customer was a victim of financial abuse.

Figure 4:2: Distribution of respondents (n=898) according to whether they had ever suspected a customer to be a victim of financial abuse

Of those who had previously suspected a customer to be experiencing financial abuse (n=577 unweighted), the majority 51% (weighted) indicated they had suspected financial abuse of a customer just once previously. A further 44% (weighted) indicated they had previously
suspected financial abuse of a customer more than once but less than five times. Table 4.7 shows the distribution of those who had previously suspected financial abuse of a customer according to how many times they had suspected abuse.

**Table 4.7**: Distribution of those who had previously suspected a customer of experiencing financial abuse (n=577) according to how many times they had suspected financial abuse

<table>
<thead>
<tr>
<th></th>
<th>Un-Weighted</th>
<th>Weighted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
</tr>
<tr>
<td>Just once</td>
<td>288</td>
<td>50.9</td>
</tr>
<tr>
<td>On more than one occasion but less than 5</td>
<td>249</td>
<td>44.0</td>
</tr>
<tr>
<td>Between 5 and 10 times</td>
<td>20</td>
<td>3.5</td>
</tr>
<tr>
<td>More than 10 times</td>
<td>9</td>
<td>1.6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>566</td>
<td>100.0</td>
</tr>
<tr>
<td><strong>Missing</strong></td>
<td>11</td>
<td></td>
</tr>
</tbody>
</table>

A chi-square test of independence was undertaken to test the null hypothesis that there was no relationship between the respondents’ place of work and whether or not they had previously suspected a customer they were dealing with was experiencing financial abuse. The resulting test statistic indicated that we can reject the null hypothesis and conclude there is a statistically significant relationship between the two variables $\chi^2 (4, n = 892) = 47.02, p < .001$. A phi and Cramer’s V statistic of .23 indicated a medium to strong effect size for the strength of the relationship between the two variables. Figure 4.3 illustrates the percentage distribution of respondents across the two variables. Those working in a branch in a city, major town and small town were statistically significantly more likely to have dealt with a customer that they suspected was a victim of financial abuse.
A chi-square test of independence was undertaken to test the null hypothesis that there was no relationship between whether the respondents were branch/bank managers or cashiers and customer advisor/service staff and whether or not they had previously suspected a customer they were dealing with was experiencing financial abuse. The resulting test statistic indicated that we can reject the null hypothesis and conclude there is a statistically significant relationship between the two variables $\chi^2 (1, n = 721) = 13.77, p < .000$. A phi and Cramer’s V statistic of .14 indicated a medium to small effect size for the strength of the relationship between the two variables. Figure 4:4 illustrates the percentage distribution of respondents across the two variables. Those working as bank or branch managers were statistically significantly more likely than not to have dealt with a customer that they suspected was a victim of financial abuse relative to those working as cashiers and customer advisor/service staff.
Figure 4: Percentage distribution of respondents (n=892) according to their job role and whether they had previously suspected a customer was experiencing financial abuse.

Post-Stratification Weights Applied

A chi-square test of independence was undertaken to test the null hypothesis that there was no relationship between the length of time a respondent has worked in the banking profession and whether or not they had previously suspected a customer they were dealing with was experiencing financial abuse. The resulting test statistic indicated that we can reject the null hypothesis and conclude there is a statistically significant relationship between the two variables $\chi^2 (3, n = 892) = 15.85, p = .001$. A phi and Cramer’s V statistic of .13 indicated a small effect size for the strength of the relationship between the two variables. Figure 4:5 illustrates the percentage distribution of respondents across the two variables. Those working for eleven years or more were more likely to have dealt with a customer who they suspected was a victim of financial abuse than those with ten years or less professional banking experience.
4.4.2 Responding to suspected financial abuse

Of those respondents that did suspect a customer might be a victim of financial abuse, 99.5% (weighted) took some action in response to their suspicion. The most common responses to a suspicion of financial abuse of a customer was to consult internally with colleagues (81%, weighted) as well as to gather further information about the case (61%, weighted) and to monitor the situation (60%, weighted). Figure 4:6 illustrates the distribution of responses the respondents took in relation to a suspicion of financial abuse. Note that the respondents were asked to indicate all the responses they took to a suspicion of abuse and therefore multiple responses per respondent were recorded.
Chi-square tests of independence were undertaken to test the null hypothesis that there was no relationship between the respondents’ place of work and how they responded to a suspected case of financial abuse of a customer. The resulting test statistics indicated that we can conclude there is a statistically significant relationship between place of work and two of the responses to a suspected case of financial abuse. There is a statistically significant relationship between place of work and whether the respondent monitored a situation of suspected financial abuse $\chi^2 (4, n = 595) = 26.66, p < .001$. A phi and Cramer’s V statistic of .22 indicated a medium effect size for the strength of the relationship between the two variables. There is also a statistically significant relationship between place of work and whether the respondent consulted with outside organisations for example the HSE or the Gardaí $\chi^2 (4, n = 598) = 9.91, p = .042$. A phi and Cramer’s V statistic of .13 indicated a small effect size for the strength of the relationship between the two variables. Table 4:8 shows the statistics arrived from a cross tabulation of actions taken in response to a suspected case of financial abuse and the respondents place of work.
**Table 4.8:** Cross tabulation of actions taken in response to suspected case of financial abuse and the respondents place of work

<table>
<thead>
<tr>
<th>Action</th>
<th>N</th>
<th>Df</th>
<th>Chi-Square</th>
<th>Sig</th>
<th>Phi and Cramer’s V</th>
</tr>
</thead>
<tbody>
<tr>
<td>Made formal enquiries</td>
<td>593</td>
<td>4</td>
<td>4.11</td>
<td>.391</td>
<td>.083</td>
</tr>
<tr>
<td>Monitored the situation*</td>
<td>595</td>
<td>4</td>
<td>27.66</td>
<td>.000</td>
<td>.216</td>
</tr>
<tr>
<td>Gathered further in formation</td>
<td>594</td>
<td>4</td>
<td>3.15</td>
<td>.532</td>
<td>.073</td>
</tr>
<tr>
<td>Consulted internally with colleagues</td>
<td>595</td>
<td>4</td>
<td>5.01</td>
<td>.286</td>
<td>.092</td>
</tr>
<tr>
<td>Consulted with outside organisations (HSE, Gardai)*</td>
<td>598</td>
<td>4</td>
<td>9.91</td>
<td>.042</td>
<td>.129</td>
</tr>
<tr>
<td>Implemented formal procedures to protect the customer’s finances</td>
<td>595</td>
<td>4</td>
<td>2.25</td>
<td>.690</td>
<td>.062</td>
</tr>
</tbody>
</table>

*Significant at the alpha 0.05 level

Figure 4.7 illustrates the percentage distribution of respondents across place of work and whether they monitored a suspected case of financial abuse. Those respondents working in a major town and those working in a small town were statistically significantly more likely to have responded to a suspicion of abuse by monitoring the situation relative to those working in a big city or a customer call centre.
Post-Stratification Weights Applied

Figure 4:7: Percentage distribution of respondents (n=595) according to their place of work and whether they responded to a suspected case of financial abuse by monitoring the situation.

Figure 4:8 illustrates the percentage distribution of respondents across place of work and whether they consulted external organisations such as the HSE or the Gardai in response to a suspected case of financial abuse. Consulting with external organisations was not a common response among the respondents however those working in a large city as well as those working in a small town were statistically significantly more likely to do so relative to those working in a major town or in a customer call centre.
Figure 4.8: Percentage distribution of respondents (n=598) according to their place of work and whether they responded to a suspected case of financial abuse by consulting with external organisations such as the HSE or the Gardaí.

Chi-square tests of independence were undertaken to test the null hypothesis that there was no relationship between whether the respondents were branch/bank managers or cashier and customer advisors/customer service staff and how they responded to a suspected case of financial abuse of a customer. The resulting test statistics, reported in Table 4.9, indicated that we can conclude there is statistically significant relationship between job role and four of the responses to a suspected case of financial abuse.
Table 4.9: Cross tabulation of actions taken in response to suspected case of financial abuse and whether respondents worked as branch/bank managers or cashiers/customer service/advisor staff

<table>
<thead>
<tr>
<th>Action</th>
<th>N</th>
<th>Df</th>
<th>Chi-Square</th>
<th>Sig</th>
<th>Phi and Cramer’s V</th>
</tr>
</thead>
<tbody>
<tr>
<td>Made formal enquiries</td>
<td>506</td>
<td>1</td>
<td>1.67</td>
<td>.196</td>
<td>.058</td>
</tr>
<tr>
<td>Monitored the situation*</td>
<td>508</td>
<td>1</td>
<td>9.23</td>
<td>.002</td>
<td>.135</td>
</tr>
<tr>
<td>Gathered further in formation</td>
<td>507</td>
<td>1</td>
<td>3.52</td>
<td>.061</td>
<td>.083</td>
</tr>
<tr>
<td>Consulted internally with colleagues*</td>
<td>508</td>
<td>1</td>
<td>16.06</td>
<td>.000</td>
<td>.178</td>
</tr>
<tr>
<td>Consulted with outside organisations (HSE, Gardaí)*</td>
<td>508</td>
<td>1</td>
<td>31.96</td>
<td>.000</td>
<td>.251</td>
</tr>
<tr>
<td>Implemented formal procedures to protect the customer’s finances*</td>
<td>508</td>
<td>1</td>
<td>17.19</td>
<td>.000</td>
<td>.184</td>
</tr>
</tbody>
</table>

*Significant at the alpha 0.05 level

There is a statistically significant relationship between job role and whether the respondent monitored a situation of suspected financial abuse $\chi^2 (1, n = 508) = 9.23, p = .002$. Figure 4:9 illustrates that relative to cashier and customer advisor/service staff, branch/bank managers were more likely than not, to have responded to a suspicion of financial abuse by monitoring the situation. A phi and Cramer’s V statistic of .14 indicated a small effect size for the strength of the relationship between the two variables.
**Figure 4.9**: Percentage distribution of respondents (n=508) according to their job role and whether they responded to a suspected case of financial abuse by monitoring the situation.

There is a statistically significant relationship between job role and whether the respondents consulted internally with colleagues $\chi^2 (1, n = 508) = 16.06, p < .000$. Figure 4:10 illustrates that cashier and customer advisor/service staff were more likely than not, to have responded to a suspicion of financial abuse by consulting internally with colleagues relative to branch/bank managers. A phi and Cramer's V statistic of .18 indicated a small effect size for the strength of the relationship between the two variables.
Post-Stratification Weights Applied

Figure 4:10: Percentage distribution of respondents (n=508) according to their job role and whether they responded to a suspected case of financial abuse by consulting internally with colleagues.

There is a statistically significant relationship between job role and whether the respondent consulted with external organisations such as the HSE and the Garda $\chi^2 (1, n = 508) = 31.96, p < .000$. Figure 4:11 illustrates that relative to cashier and customer advisor/service staff, branch/bank managers were more likely to have responded to a suspicion of financial abuse by consulting with external organisation. A phi and Cramer’s V statistic of .25 indicated a medium effect size for the strength of the relationship between the two variables.
Post-Stratification Weights Applied

Figure 4: Percentage distribution of respondents (n=508) according to their job role and whether they responded to a suspected case of financial abuse by consulting with external organisations (e.g. HSE or Gardaí)

There is also a statistically significant relationship between job role and whether the respondent implemented formal procedures to protect the customer’s finances $\chi^2 (1, n = 508) = 17.19, p <.000$. Figure 4:12 illustrates that relative to cashier and customer advisor/service staff, branch/bank managers were more likely than not to have responded to a suspicion of financial abuse by implementing formal procedures to protect the customer’s finances (20.1%, weighted). A phi and Cramer’s V statistic of .19 indicated a small effect size for the strength of the relationship between the two variables.
Chi-square tests of independence were undertaken to test the null hypothesis that there was no relationship between how long the respondents were working in the banking profession and how they responded to a suspected case of financial abuse of a customer. The resulting test statistics, reported in Table 4:10, indicated that we can conclude there is a statistically significant relationship between two of the responses to suspected financial abuse and whether the respondents were working ten years or less or 11 years or more in the banking profession.
Table 4:10: Cross tabulation of actions taken in response to suspected case of financial abuse and whether respondents worked for ten years or less in banking or eleven years or more

<table>
<thead>
<tr>
<th>Action</th>
<th>N</th>
<th>Df</th>
<th>Chi-Square</th>
<th>Sig</th>
<th>Phi and Cramer’s V</th>
</tr>
</thead>
<tbody>
<tr>
<td>Made formal enquiries</td>
<td>594</td>
<td>1</td>
<td>1.12</td>
<td>.291</td>
<td>.043</td>
</tr>
<tr>
<td>Monitored the situation*</td>
<td>596</td>
<td>1</td>
<td>5.97</td>
<td>.015</td>
<td>.100</td>
</tr>
<tr>
<td>Gathered further in formation</td>
<td>596</td>
<td>1</td>
<td>2.37</td>
<td>.124</td>
<td>.063</td>
</tr>
<tr>
<td>Consulted internally with colleagues</td>
<td>596</td>
<td>1</td>
<td>.05</td>
<td>.822</td>
<td>.009</td>
</tr>
<tr>
<td>Consulted with outside organisations (HSE, Gardai)*</td>
<td>596</td>
<td>1</td>
<td>16.12</td>
<td>.000</td>
<td>.165</td>
</tr>
<tr>
<td>Implemented formal procedures to protect the customer’s finances</td>
<td>596</td>
<td>1</td>
<td>2.08</td>
<td>.149</td>
<td>.059</td>
</tr>
</tbody>
</table>

*Significant at the alpha 0.05 level

There is a statistically significant relationship between length of time in working in the banking profession and whether the respondent monitored a situation of suspected financial abuse $\chi^2 (1, n = 596) = 5.97, p = .015$. Figure 4:13 illustrates that relative to those who had ten years or less professional banking experience, those who have worked for 11 years or more in the banking profession were more likely than not to have responded to a suspicion of financial abuse by monitoring the situation (48.7% weighted). A phi and Cramer’s V statistic of .10 indicated a small effect size for the strength of the relationship between the two variables.
Post-Stratification Weights Applied

Figure 4:13: Percentage distribution of respondents (n=596) according to how long they have worked in the banking profession and whether they responded to a suspected case of financial abuse by monitoring the situation.

There is a statistically significant relationship between length of time working in the banking profession and whether the respondent consulted with outside organisations. $\chi^2 (1, n = 596) = 16.12, p < .000$. Figure 4:14 illustrates that those who have worked for 11 years or more in the banking profession were more likely than not to have responded to a suspicion of financial abuse by consulting with external organisations relative to those who have 10 years or less experience of working in the banking profession (1.3%, weighted). A phi and Cramer’s V statistic of .17 indicated a small effect size for the strength of the relationship between the two variables.
Figure 4: Percentage distribution of respondents (n=596) according to how long they have worked in the banking profession and whether they responded to a suspected case of financial abuse by consulting with external organisations (e.g. HSE or Gardaí).

4.4.3 Sources of guidance in responding to suspected financial abuse

Those respondents who took action in response to their suspicion that a customer was experiencing financial abuse were asked to indicate what guided them in their decision-making as to how to respond. The most common source of guidance indicated by the respondents was their own judgement or previous experience of dealing with financial abuse (78%, weighted). Banking policy and or regulatory guidance was the next most common source of guidance (69%, weighted) followed by training (60%, weighted). Figure 4:15 shows the distribution of respondents according to what guided them in their decision-making when responding to a suspicion of financial abuse. Note respondents were asked to indicate all sources of guidance, therefore multiple responses are recorded.
Chi-square tests of independence were undertaken to test the null hypothesis that there was no relationship between the respondents’ place of work and the sources of guidance used in responding to suspected financial abuse. The resulting tests statistics indicated that we can conclude there is a statistically significant relationship between place of work and two of the sources of guidance. There is a statistically significant relationship between place of work and whether the respondent used their own judgement/previous experience of financial abuse to guide their response $\chi^2 (4, n = 596) = 14.46, p = .006$. A phi and Cramer’s V statistic of .16 indicated a small effect size for the strength of the relationship between the two variables. There is also a statistically significant relationship between place of work and whether the respondent used prior training to guide their response $\chi^2 (4, n = 597) = 11.43, p = .022$. A phi and Cramer’s V statistic of .14 indicated a small effect size for the strength of the relationship between the two variables. Table 4:11 shows the statistics arrived from a cross tabulation on sources of guidance used by respondents in responding to a suspected case of financial abuse and the respondents place of work.
Table 4:11: Cross tabulation of sources of guidance for responding to suspected case of financial abuse and the respondent’s place of work

<table>
<thead>
<tr>
<th>Action</th>
<th>N</th>
<th>Df</th>
<th>Chi-Square</th>
<th>Sig</th>
<th>Phi and Cramer’s V</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank policy and/or regulatory guidance</td>
<td>598</td>
<td>4</td>
<td>3.63</td>
<td>.459</td>
<td>.078</td>
</tr>
<tr>
<td>Own judgement/previous experience of financial abuse*</td>
<td>596</td>
<td>4</td>
<td>14.46</td>
<td>.006</td>
<td>.156</td>
</tr>
<tr>
<td>Training on fraud awareness/vulnerable customers/financial abuse*</td>
<td>597</td>
<td>4</td>
<td>11.43</td>
<td>.022</td>
<td>.138</td>
</tr>
</tbody>
</table>

*Significant at the alpha 0.05 level

Figure 4:16 illustrates the percentage distribution of respondents across place of work and whether they used their own judgement or previous experience to guide their response to a suspected case of financial abuse. Those working in a customer call centre were comparatively less likely to have relied upon their own judgement or experience to respond to a suspected case of financial abuse than those working at branch level.

**Post-Stratification Weights Applied**

Figure 4:16: Percentage distribution of respondents (n=596) according to their place of work and whether they used their own judgement or previous experience to guide their response to a suspected case of financial abuse
Figure 4:17 illustrates the percentage distribution of respondents across place of work and whether they used previous training to guide their response to a suspected case of financial abuse. Those working in a customer call centre were comparatively more likely to have relied on previous training in fraud awareness, vulnerable customers or financial abuse to guide their response to a suspected case of financial abuse than those working at branch level.

**Post-Stratification Weights Applied**

Figure 4:17: Percentage distribution of respondents (n=596) according to their place of work and whether used previous training to guide their response to a suspected case of financial abuse

Chi-square tests of independence were undertaken to test the null hypothesis that there was no relationship between whether the respondents were branch/bank managers or cashier and customer advisors/customer service staff and the sources of guidance they used to respond to a suspected case of financial abuse. The resulting test statistics, reported in Table 4:12, indicated that we can conclude there is a statistically significant relationship between job role and whether a respondent relied upon their own judgement or previous experience to respond to a suspected case of financial abuse $\chi^2 (1, n = 508) = 13.23 \ p < .000$. A phi and Cramer’s V statistic of .16 indicated a small effect size for the strength of the relationship between the two variables. Relative to cashiers and customer service/advisor staff, branch or bank managers
were statistically significantly more likely to rely upon their judgement or experience when responding to a suspicion of financial abuse.

**Table 4:12:** Cross tabulation of sources of guidance used to respond to a suspected case of financial abuse and whether respondents worked as branch/bank managers or cashiers/customer service/advisor staff

<table>
<thead>
<tr>
<th>Source</th>
<th>N</th>
<th>Df</th>
<th>Chi-Square</th>
<th>Sig</th>
<th>Phi and Cramer's V</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank policy and/or regulatory guidance</td>
<td>506</td>
<td>1</td>
<td>.029</td>
<td>.864</td>
<td>.008</td>
</tr>
<tr>
<td>Own judgement or previous experience*</td>
<td>508</td>
<td>1</td>
<td>13.23</td>
<td>.000</td>
<td>.161</td>
</tr>
<tr>
<td>Training received on fraud awareness / vulnerable customers / financial abuse</td>
<td>507</td>
<td>1</td>
<td>1.57</td>
<td>.211</td>
<td>.056</td>
</tr>
</tbody>
</table>

*Significant at the alpha 0.05 level

Chi-square tests of independence were undertaken to test the null hypothesis that there was no relationship between whether the respondents were working for greater than or less than ten years in the banking profession and the sources of guidance they used to respond to a suspected case of financial abuse. The resulting test statistics, reported in Table 4:13, indicated that we can conclude there is a statistically significant relationship between length of time working in the banking profession and whether a respondent relied upon their own judgement or previous experience to respond to a suspected case of financial abuse. \( \chi^2 (1, n = 597) = 16.53 \ p < .000 \). A phi and Cramer's V statistic of .17 indicated a small effect size for the strength of the relationship between the two variables. Those working for eleven years or more in the banking profession were statistically significantly more likely to rely upon their judgement or experience when responding to a suspicion of financial abuse relative to those working for ten years or less.
Table 4.13: Cross tabulation of sources of guidance used to respond to a suspected case of financial abuse and whether the respondents had ten years and less professional banking experience or 11 years and more.

<table>
<thead>
<tr>
<th>Source</th>
<th>N</th>
<th>Df</th>
<th>Chi-Square</th>
<th>Sig</th>
<th>Phi and Cramer's V</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank policy and/or regulatory guidance</td>
<td>596</td>
<td>1</td>
<td>1.12</td>
<td>.284</td>
<td>.044</td>
</tr>
<tr>
<td>Own judgement or previous experience*</td>
<td>597</td>
<td>1</td>
<td>16.53</td>
<td>.000</td>
<td>.166</td>
</tr>
<tr>
<td>Training received on fraud awareness / vulnerable customers / financial abuse</td>
<td>597</td>
<td>1</td>
<td>.309</td>
<td>.579</td>
<td>.023</td>
</tr>
</tbody>
</table>

*Significant at the alpha 0.05 level

4.5 Responses to Case Scenarios

The respondents were presented with five banking scenarios featuring potentially vulnerable customers in a variety of banking situations where abuse may or may not be occurring. For each scenario, the respondents were asked to indicate their level of certainty as to whether abuse was occurring, their likelihood of responding to this scenario and what that response might be. This section of the chapter details the responses to these scenarios in sequence.

4.5.1 Scenario One:

Mr Jarvis is a 76 year old customer who has come into the branch and asked to see you to discuss long term investment options for his savings. When talking to Mr Jarvis he tells you that he has been promised three million pounds from a company in the United States, who have been writing to him regularly. He shows you one of the letters, which says he has won a prize draw, but an administration fee has to be paid before it can be claimed. He has been sending amounts ranging between €20 and €50 at a time for the last five weeks, and says he has received at least 30 letters from the same company. Mr Jarvis asks you to transfer €5,000 from his savings account to his current account so that he can continue to send money. He has no contact details for the company who sent him the letters but is convinced he is going to receive the prize money at some point. He believes that he must be entitled to the prize win as otherwise he would not still be receiving letters. He is anxious to make the extra money available in his account as soon as possible so that he does not miss out on the prize.

The respondents were asked to indicate on a scale of 0 to 10 their level of certainty as to whether financial abuse was occurring; whereby a 0 indicated they were 100% certain abuse was not occurring and 10 indicated they were 100% certain abuse was occurring. Furthermore, they...
were asked to indicate on a scale of 0 to 10 their likelihood of taking action in response to each scenario whereby 0 indicates they were 100% confident they would not take any action in response to this scenario and 10 indicates they are 100% confident they would take action. Table 4:14 provides the descriptive statistics of weighted responses to scenario one. On average the respondents were 97% certain that abuse was occurring in this scenario and 97% confident they would take action in response to this situation.

Table 4:14: Descriptive statistics of weighted responses to scenario one

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>Min</th>
<th>Max</th>
<th>Mean</th>
<th>Std error of the mean</th>
<th>Std Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>On a scale of 1-10 how certain are you that abuse is occurring</td>
<td>886</td>
<td>0</td>
<td>10</td>
<td>9.71</td>
<td>.040</td>
<td>1.204</td>
</tr>
<tr>
<td>On a scale of 1-10 how likely are you to take action</td>
<td>884</td>
<td>0</td>
<td>10</td>
<td>9.73</td>
<td>.035</td>
<td>1.053</td>
</tr>
</tbody>
</table>

Table 4:15 presents the scenario one descriptive statistics for certainty of abuse and likelihood of taking action according to the respondents' place of work, whether they worked as cashiers and customer service staff or branch managers and whether they had ten years and less professional banking experience or eleven years and more.
The distribution of scores within each group was examined to determine the extent to which the assumption of normality was met. Measures of skewness, kurtosis as well as the results of Shapiro-Wilk tests of normality indicated the presence of non-parametric distributions across all groups. This was confirmed by visual inspection of the histogram and Q-Q plots. Non-parametric tests were undertaken to compare the between group scores for place of work, job role and length of professional banking experience. A Mann-Whitney U test indicated that the likelihood of taking action in response to scenario one was statistically significantly greater for those who had 11 years or more professional banking experience (mean 9.76) compared with those who worked ten years or less (mean = 9.65), \( U = 99894, p = .005 \).
The respondents were asked if they were likely to take action in response to this scenario what action would be their first priority. The most common priority response to this scenario (33%, weighted) was to consult internally with colleagues. A further 30% (weighted) of the respondents reported that their priority response would be to implement formal procedures to protect the customer’s finances. Figure 4:18 illustrates the priority responses of each of the respondents; both weighted and unweighted responses are shown.

**Figure 4:18:** Distribution of respondents according to what their first priority action would be in response to case scenario one
4.5.2 Scenario Two:

Mrs Munroe is 82 years old, and has been a customer at the bank for more than 30 years. A cashier comes to see you about a concern she has about Mrs Munroe’s account. Mrs Munroe had come into the branch with her daughter to get her bank savings passbook made up with interest, and when the cashier checked the account it had been closed six months ago. Mrs Munroe looks after her finances independently and previously had assets in excess of €50,000 in the savings account. She has minor physical health problems, and so needs assistance from family members to travel to the branch. Mrs Munroe said she had not closed the account herself, so wanted the situation to be investigated. She was very worried that someone had fraudulently accessed her account and taken her money.

The respondents were asked to indicate on a scale of 0 to 10 their level of certainty as to whether financial abuse was occurring; whereby a 0 indicated they were 100% certain abuse was not occurring and 10 indicated they were 100% certain abuse was occurring. Furthermore, they were asked to indicate on a scale of 0 to 10 their likelihood of taking action in response to each scenario whereby 0 indicates they were 100% confident they would not take any action in response to this scenario and 10 indicates they are 100% confident they would take action. Table 4:16 provides the descriptive statistics of weighted responses to scenario two. On average the respondents were 73% certain that abuse was occurring in this scenario and 93% confident they would take action in response to this situation.

<table>
<thead>
<tr>
<th>N</th>
<th>Min</th>
<th>Max</th>
<th>Mean</th>
<th>Std error of the mean</th>
<th>Std Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>On a scale of 1-10 how certain are you that abuse is occurring</td>
<td>879</td>
<td>0</td>
<td>10</td>
<td>7.28</td>
<td>.067</td>
</tr>
<tr>
<td>On a scale of 1-10 how likely are you to take action</td>
<td>858</td>
<td>0</td>
<td>10</td>
<td>9.32</td>
<td>.049</td>
</tr>
</tbody>
</table>

Table 4:17 presents the scenario two descriptive statistics for certainty of abuse and likelihood of taking action according to the respondents’ place of work, whether they worked as cashiers and customer service staff or branch managers and whether they had ten years and less professional banking experience or eleven years and more.
Table 4.17: Scenario two descriptive statistics for respondents’ certainty of abuse and their likelihood of taking action according to place of work, job role and length of professional banking experience

<table>
<thead>
<tr>
<th>Grouping Variable</th>
<th>N</th>
<th>Mean</th>
<th>Median</th>
<th>St.Dev</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branch in a city</td>
<td>201</td>
<td>7.51</td>
<td>8.00</td>
<td>2.01</td>
</tr>
<tr>
<td>Branch in a major town</td>
<td>186</td>
<td>7.00</td>
<td>7.00</td>
<td>1.94</td>
</tr>
<tr>
<td>Branch in a small town</td>
<td>216</td>
<td>7.19</td>
<td>7.00</td>
<td>1.98</td>
</tr>
<tr>
<td>Customer call centre</td>
<td>74</td>
<td>7.68</td>
<td>8.00</td>
<td>2.03</td>
</tr>
<tr>
<td>Other</td>
<td>77</td>
<td>7.07</td>
<td>7.00</td>
<td>2.00</td>
</tr>
<tr>
<td>Branch/Bank Manager</td>
<td>215</td>
<td>7.29</td>
<td>7.00</td>
<td>1.89</td>
</tr>
<tr>
<td>Cashier and Customer Service/Advisor</td>
<td>394</td>
<td>7.37</td>
<td>8.00</td>
<td>2.10</td>
</tr>
<tr>
<td>10 years or less</td>
<td>188</td>
<td>7.17</td>
<td>7.00</td>
<td>2.03</td>
</tr>
<tr>
<td>11 years or more</td>
<td>566</td>
<td>7.29</td>
<td>7.00</td>
<td>1.98</td>
</tr>
</tbody>
</table>

Scenario Two: How likely are you to take action?

<table>
<thead>
<tr>
<th>Grouping Variable</th>
<th>N</th>
<th>Mean</th>
<th>Median</th>
<th>St.Dev</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branch in a city</td>
<td>201</td>
<td>9.33</td>
<td>10.00</td>
<td>1.50</td>
</tr>
<tr>
<td>Branch in a major town</td>
<td>186</td>
<td>9.29</td>
<td>10.00</td>
<td>1.60</td>
</tr>
<tr>
<td>Branch in a small town</td>
<td>216</td>
<td>9.29</td>
<td>10.00</td>
<td>1.47</td>
</tr>
<tr>
<td>Customer call centre</td>
<td>74</td>
<td>9.32</td>
<td>10.00</td>
<td>1.50</td>
</tr>
<tr>
<td>Other</td>
<td>77</td>
<td>9.46</td>
<td>10.00</td>
<td>1.22</td>
</tr>
<tr>
<td>Branch/Bank Manager*</td>
<td>215</td>
<td>9.55</td>
<td>10.00</td>
<td>1.12</td>
</tr>
<tr>
<td>Cashier and Customer Service/Advisor</td>
<td>394</td>
<td>9.19</td>
<td>10.00</td>
<td>1.70</td>
</tr>
<tr>
<td>10 years or less</td>
<td>188</td>
<td>8.90</td>
<td>10.00</td>
<td>2.05</td>
</tr>
<tr>
<td>11 years or more</td>
<td>566</td>
<td>9.46</td>
<td>10.00</td>
<td>1.20</td>
</tr>
</tbody>
</table>

The distribution of scores within each group was examined to determine the extent to which the assumption of normality was met. In all groups the measures of skewness, kurtosis as well as the results of Shapiro-Wilk tests of normality indicated the presence of non-parametric distributions across all groups. This was confirmed by visual inspection of the histogram and Q-Q plots. Non-parametric tests were undertaken to compare the between group scores for place of work, job role and length of professional banking experience. A Kruskall Wallis test indicated that there was a statistically significant difference between the respondents’ degree of certainty that abuse was taking place in this scenario according to their place of work $\chi^2 = 12.67$, p= .013. Those working in a branch in a major town had the least confidence that abuse was occurring (70%) compared with those working in a customer call centre (77%).
The respondents were asked if they were likely to take action in response to this scenario what action would be their first priority. The most common priority response to this scenario (49%, weighted) was to gather further information. A further 29% (weighted) of the respondents reported that their priority response would be to consult internally with colleagues/managers. Figure 4:19 illustrates the priority responses of each of the respondents; both weighted and unweighted responses are shown.

![Figure 4:19](image-url)

**Figure 4:19:** Distribution of respondents according to what their first priority action would be in response to case scenario two
4.5.3 Scenario Three:

A customer, Mr O’Byrne regularly comes into the bank in person to make small withdrawals or lodgements to his current account. He is well-known to the staff; he lives locally and often comes into the bank for a chat when he is out and about in the town. You suspect that he may have a mild intellectual disability but he lives independently and has always managed his current account with the bank independently. One day he arrives to the counter where you are serving customers and requests to withdraw €1000 from his account. This is an unusually large amount of money for Mr O’Byrne to withdraw. As you are dealing with his request he tells you that he is very lucky because this morning somebody knocked on his door and was holding roof slates in their hands. The caller had told Mr O’Byrne that the slates had fallen from Mr O’Byrne’s roof and that this could be very dangerous. The caller said that he would fix the roof for Mr O’Byrne and started working on it straight away. Mr O’Byrne then points to a man who is standing in the lobby area of the bank and tells you that the man even offered to drive Mr O’Byrne to the bank so he could make the withdrawal of €1000 to pay for the roof work.

The respondents were asked to indicate on a scale of 0 to 10 their level of certainty as to whether financial abuse was occurring; whereby a 0 indicated they were 100% certain abuse was not occurring and 10 indicated they were 100% certain abuse was occurring. Furthermore, they were asked to indicate on a scale of 0 to 10 their likelihood of taking action in response to each scenario whereby 0 indicates they were 100% confident they would not take any action in response to this scenario and 10 indicates they are 100% confident they would take action. Table 4:18 provides the descriptive statistics of weighted responses to scenario three. On average the respondents were 95% certain that abuse was occurring in this scenario and 97% confident they would take action in response to this situation.
Table 4:18: Descriptive statistics of weighted responses to scenario three

<table>
<thead>
<tr>
<th>N</th>
<th>Min</th>
<th>Max</th>
<th>Mean</th>
<th>Std error of the mean</th>
<th>Std Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>881</td>
<td>0</td>
<td>10</td>
<td>9.51</td>
<td>.037</td>
<td>1.086</td>
</tr>
<tr>
<td>860</td>
<td>0</td>
<td>10</td>
<td>9.65</td>
<td>.035</td>
<td>1.012</td>
</tr>
</tbody>
</table>

On a scale of 1-10 how certain are you that abuse is occurring

On a scale of 1-10 how likely are you to take action

Table 4:19 presents the scenario three descriptive statistics for certainty of abuse and likelihood of taking action according to the respondents’ place of work, whether they worked as cashiers and customer service staff or branch managers and whether they had ten years and less professional banking experience or eleven years and more.
Table 4.19: Scenario three descriptive statistics for respondents’ certainty of abuse and their likelihood of taking action according to place of work, job role and length of professional banking experience

<table>
<thead>
<tr>
<th>Grouping Variable</th>
<th>N</th>
<th>Mean</th>
<th>Median</th>
<th>St.Dev</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branch in a city</td>
<td>201</td>
<td>9.46</td>
<td>10.00</td>
<td>1.19</td>
</tr>
<tr>
<td>Branch in a major town</td>
<td>186</td>
<td>9.46</td>
<td>10.00</td>
<td>1.16</td>
</tr>
<tr>
<td>Branch in a small town</td>
<td>216</td>
<td>9.60</td>
<td>10.00</td>
<td>1.04</td>
</tr>
<tr>
<td>Customer call centre</td>
<td>74</td>
<td>9.25</td>
<td>10.00</td>
<td>1.18</td>
</tr>
<tr>
<td>Other</td>
<td>77</td>
<td>9.47</td>
<td>10.00</td>
<td>1.01</td>
</tr>
<tr>
<td>Branch/Bank Manager</td>
<td>215</td>
<td>9.47</td>
<td>10.00</td>
<td>0.97</td>
</tr>
<tr>
<td>Cashier and Customer Service/Advisor</td>
<td>394</td>
<td>9.50</td>
<td>10.00</td>
<td>1.23</td>
</tr>
<tr>
<td>10 years or less</td>
<td>188</td>
<td>9.24</td>
<td>10.00</td>
<td>1.64</td>
</tr>
<tr>
<td>11 years or more</td>
<td>566</td>
<td>9.56</td>
<td>10.00</td>
<td>0.87</td>
</tr>
</tbody>
</table>

The distribution of scores within each group was examined to determine the extent to which the assumption of normality was met. In all groups the measures of skewness, kurtosis as well as the results of Shapiro-Wilk tests of normality indicated the presence of non-parametric distributions across all groups. This was confirmed by visual inspection of the histogram and Q-Q plots. Non-parametric tests were undertaken to compare the between group scores for place of work, job role and length of professional banking experience. A Mann-Whitney U test indicated that the degree of confidence that abuse was occurring in this scenario was statistically significantly greater for those who had 11 years or more professional banking experience (96%) compared with those with 10 years or less (92%), U=96534, p=.006. A Mann-Whitney U test also indicated that the likelihood of taking action in response to this scenario was statistically
significantly greater for those who had 11 years or more professional banking experience (97%) compared with those with 10 years or less (95%), U=92689, p<.000. A Kruskall Wallis test indicated that there was a statistically significant difference between the respondents’ degree of certainty that abuse was taking place in this scenario according to their place of work $\chi^2 = 13.76$, p= .008. Those working in a customer call centre had the least confidence that abuse was occurring (93%) compared with those working in a branch in a small town (96%).

The respondents were asked if they were likely to take action in response to this scenario what action would be their first priority. The most common priority response to this scenario (28%, weighted) was to consult internally with colleagues. The next most commonly reported priority response (24%, weighted) was to consult with outside organisations such as the HSE or the Gardaí. A further 20% (weighted) of the respondents reported that their priority response would be to implement formal procedures to protect the customer’s finances. Figure 4:20 illustrates the priority responses of each of the respondents; both weighted and unweighted responses are shown.
**Figure 4:20** Distribution of respondents according to what their first priority action would be in response to case scenario three.
4.5.4 Scenario Four:

Mr Hendly is a 78 year old customer, who used to regularly visit the branch in person to withdraw his pension credit. He is in good physical health, and looks after his money independently. He often discusses with you his holiday plans and any work he is having done around the house when you are dealing with his transactions. Whilst serving customers at the counter on a Monday morning, someone approaches you to make a third-party withdrawal from Mr Hendly’s account. You know that you have not seen Mr Hendly in the branch yourself for quite a while, and you can see from reviewing the previous transactions on the account that it has actually been a number of months since Mr Hendly has made any withdrawals. The man has the correct documentation and identification, but despite the gap since his last visit you are surprised that Mr Hendly has not come into the branch himself.

The respondents were asked to indicate on a scale of 0 to 10 their level of certainty as to whether financial abuse was occurring; whereby a 0 indicated they were 100% certain abuse was not occurring and 10 indicated they were 100% certain abuse was occurring. Furthermore, they were asked to indicate on a scale of 0 to 10 their likelihood of taking action in response to each scenario whereby 0 indicates they were 100% confident they would not take any action in response to this scenario and 10 indicates they are 100% confident they would take action. Table 4:20 provides the descriptive statistics of weighted responses to scenario four. On average the respondents were 59% certain that abuse was occurring in this scenario and 74% confident they would take action in response to this situation.

Table 4:20: Descriptive statistics of weighted responses to scenario four

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>Min</th>
<th>Max</th>
<th>Mean</th>
<th>Std error of the mean</th>
<th>Std Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>On a scale of 1-10 how certain are you that abuse is occurring</td>
<td>873</td>
<td>0</td>
<td>10</td>
<td>5.90</td>
<td>.081</td>
<td>2.401</td>
</tr>
<tr>
<td>On a scale of 1-10 how likely are you to take action</td>
<td>849</td>
<td>0</td>
<td>10</td>
<td>7.74</td>
<td>.091</td>
<td>2.661</td>
</tr>
</tbody>
</table>

Table 4:21 presents the scenario four descriptive statistics for certainty of abuse and likelihood of taking action according to the respondents’ place of work, whether they worked as cashiers and customer service staff or branch managers and whether they had ten years and less professional banking experience or eleven years and more.
Table 4.21: Scenario four descriptive statistics for respondents’ certainty of abuse and their likelihood of taking action according to place of work, job role and length of professional banking experience

**Scenario Four: How certain are you that abuse is occurring?**

<table>
<thead>
<tr>
<th>Grouping Variable</th>
<th>N</th>
<th>Mean</th>
<th>Median</th>
<th>St.Dev</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branch in a city</td>
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<td>5.90</td>
<td>6.00</td>
<td>2.41</td>
</tr>
<tr>
<td>Branch in a major town</td>
<td>186</td>
<td>5.84</td>
<td>6.00</td>
<td>2.31</td>
</tr>
<tr>
<td>Branch in a small town</td>
<td>216</td>
<td>6.06</td>
<td>6.00</td>
<td>2.63</td>
</tr>
<tr>
<td>Customer call centre</td>
<td>74</td>
<td>5.90</td>
<td>6.00</td>
<td>2.18</td>
</tr>
<tr>
<td>Other</td>
<td>77</td>
<td>5.40</td>
<td>5.00</td>
<td>2.18</td>
</tr>
<tr>
<td>Branch/Bank Manager</td>
<td>215</td>
<td>5.81</td>
<td>6.00</td>
<td>2.31</td>
</tr>
<tr>
<td>Cashier and Customer Service/Advisor</td>
<td>394</td>
<td>6.10</td>
<td>6.00</td>
<td>2.45</td>
</tr>
<tr>
<td>10 years or less</td>
<td>188</td>
<td>5.68</td>
<td>6.00</td>
<td>2.31</td>
</tr>
<tr>
<td>11 years or more</td>
<td>566</td>
<td>5.94</td>
<td>6.00</td>
<td>2.31</td>
</tr>
</tbody>
</table>

**Scenario Four: How likely are you to take action?**

<table>
<thead>
<tr>
<th>Grouping Variable</th>
<th>N</th>
<th>Mean</th>
<th>Median</th>
<th>St.Dev</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branch in a city</td>
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<td>7.72</td>
<td>9.00</td>
<td>2.72</td>
</tr>
<tr>
<td>Branch in a major town</td>
<td>186</td>
<td>7.91</td>
<td>9.00</td>
<td>2.46</td>
</tr>
<tr>
<td>Branch in a small town</td>
<td>216</td>
<td>7.93</td>
<td>10.00</td>
<td>2.72</td>
</tr>
<tr>
<td>Customer call centre</td>
<td>74</td>
<td>7.34</td>
<td>7.00</td>
<td>2.38</td>
</tr>
<tr>
<td>Other</td>
<td>77</td>
<td>7.72</td>
<td>8.00</td>
<td>2.75</td>
</tr>
<tr>
<td>Branch/Bank Manager</td>
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<td>7.92</td>
<td>9.00</td>
<td>2.57</td>
</tr>
<tr>
<td>Cashier and Customer Service/Advisor</td>
<td>394</td>
<td>7.82</td>
<td>9.00</td>
<td>2.63</td>
</tr>
<tr>
<td>10 years or less</td>
<td>188</td>
<td>7.26</td>
<td>8.00</td>
<td>2.60</td>
</tr>
<tr>
<td>11 years or more</td>
<td>566</td>
<td>7.97</td>
<td>9.00</td>
<td>2.62</td>
</tr>
</tbody>
</table>

The distribution of scores within each group was examined to determine the extent to which the assumption of normality was met. In all groups the measures of skewness, kurtosis as well as the results of Shapiro-Wilk tests of normality indicated the presence of non-parametric distributions across all groups. This was confirmed by visual inspection of the histogram and Q-Q plots. Non-parametric tests were undertaken to compare the between group scores for place of work, job role and length of professional banking experience. A Mann-Whitney U test indicated that the likelihood of taking action in response to this scenario was statistically significantly greater for those who had 11 years or more professional banking experience (79%) compared with those with 10 years or less (73%), U=81727, p<.000.
The respondents were asked if they were likely to take action in response to this scenario what action would be their first priority. The most common priority response to this scenario (31%, weighted) was to gather further information. A further 28% (weighted) of the respondents reported that their priority response would be to consult internally with colleagues/managers. Figure 4:21 illustrates the priority responses of each of the respondents; both weighted and unweighted responses are shown.

![Figure 4:21](Figure.png)

**Figure 4:21**: Distribution of respondents according to what their first priority action would be in response to case scenario four
4.5.5 Scenario Five:

You are working on the branch customer service desk and receive a phone call from Mrs Dempsey, a 64 year old customer of the bank for many years. You know that Mrs Dempsey’s husband died one week ago and you offer her your sympathies. Mrs Dempsey is quite upset on the phone. She tells you that she is very worried about how she is going to manage her financial affairs now that her husband is gone. She tells you that her husband always took care of their joint accounts and paid all their household bills. She is now the sole account owner following her husband’s death. She tells you that her son is with her in the house and has suggested that he be named as a joint account owner on her savings and current accounts to help her to manage her day-to-day finances as well as to make sure the household bills are paid. You note that she and her husband have substantial assets built up in their savings account. She asks you to send her the forms to begin the process of making her son a joint account owner immediately.

The respondents were asked to indicate on a scale of 0 to 10 their level of certainty as to whether financial abuse was occurring; whereby a 0 indicated they were 100% certain abuse was not occurring and 10 indicated they were 100% certain abuse was occurring. Furthermore, they were asked to indicate on a scale of 0 to 10 their likelihood of taking action in response to each scenario whereby 0 indicates they were 100% confident they would not take any action in response to this scenario and 10 indicates they are 100% confident they would take action. Table 4:22 provides the descriptive statistics of weighted responses to scenario five. On average the respondents were 49% certain that abuse was occurring in this scenario and 69% confident they would take action in response to this situation.

Table 4:22: Descriptive statistics of weighted responses to scenario five

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>Min</th>
<th>Max</th>
<th>Mean</th>
<th>Std error of the mean</th>
<th>Std Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>On a scale of 1-10 how certain are you that abuse is occurring</td>
<td>876</td>
<td>0</td>
<td>10</td>
<td>4.94</td>
<td>.077</td>
<td>2.291</td>
</tr>
<tr>
<td>On a scale of 1-10 how likely are you to take action</td>
<td>853</td>
<td>0</td>
<td>10</td>
<td>6.89</td>
<td>.103</td>
<td>3.005</td>
</tr>
</tbody>
</table>

Table 4:23 presents the scenario five descriptive statistics for certainty of abuse and likelihood of taking action according to the respondents’ place of work, whether they worked as cashiers...
and customer service staff or branch managers and whether they had ten years and less professional banking experience or eleven years and more.

Table 4:23: Scenario five descriptive statistics for respondents’ certainty of abuse and their likelihood of taking action according to place of work, job role and length of professional banking experience

<table>
<thead>
<tr>
<th>Scenario Five: How certain are you that abuse is occurring?</th>
<th>N</th>
<th>Mean</th>
<th>Median</th>
<th>St.Dev</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branch in a city</td>
<td>201</td>
<td>5.11</td>
<td>5.00</td>
<td>2.24</td>
</tr>
<tr>
<td>Branch in a major town</td>
<td>186</td>
<td>4.70</td>
<td>5.00</td>
<td>2.34</td>
</tr>
<tr>
<td>Branch in a small town</td>
<td>216</td>
<td>5.49</td>
<td>5.00</td>
<td>2.43</td>
</tr>
<tr>
<td>Customer call centre</td>
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The distribution of scores within each group was examined to determine the extent to which the assumption of normality was met. In all groups the measures of skewness, kurtosis as well as the results of Shapiro-Wilk tests of normality indicated the presence of non-parametric distributions across all groups. This was confirmed by visual inspection of the histogram and Q-Q plots. Non-parametric tests were undertaken to compare the between group scores for place of work, job role and length of professional banking experience. A Mann-Whitney U test indicated that the degree of confidence that abuse was occurring in this scenario was statistically significantly greater for those who had 11 years or more professional banking experience (51%)
compared with those with 10 years or less (47%), $U=91448, p=.001$. A Mann-Whitney U test also indicated that the likelihood of taking action in response to this scenario was statistically significantly greater for those who had 11 years or more professional banking experience (73%) compared with those with 10 years or less (58%), $U=72426, p<.000$. Branch/Bank managers (72%) were also found be statistically significantly more likely to take action in response to this scenario compared with cashier and customer service/advisor staff (68%), $U=68150, p=0.010$. A Kruskall Wallis test indicated that there was a statistically significant difference between the respondents’ degree of certainty that abuse was taking place in this scenario according to their place of work $\chi^2 = 25.109, p<.000$. Those working in a customer call centres had the least confidence that abuse was occurring (41%) compared with those working in a branch in a small town (55%). A Kruskall Wallis test also indicated that there was a statistically significant difference between the respondents’ likelihood of taking action in response to this scenario according to their place of work $\chi^2 = 17.057, p=0.002$. Those working in a customer call centre were least likely to take action (56%) compared with those working in a branch in a small town (74%).

The respondents were asked if they were likely to take action in response to this scenario what action would be their first priority. The most common priority response to this scenario (30%, weighted) was to advise the customer to seek third party guidance. A further 18% (weighted) of the respondents reported that their priority response would be to consult internally with colleagues/managers or to gather further information. Figure 4:22 illustrates the priority responses of each of the respondents; both weighted and unweighted responses are shown.
Figure 4: Distribution of respondents according to what their first priority action would be in response to case scenario five

4.6 Conclusion

In conclusion, 898 frontline and customer facing bank staff responded to this survey which investigated their experiences of and responses to the potential financial abuse of vulnerable bank customers. More than half of the respondents (66.5%) had previously suspected a customer to be experiencing some form of financial abuse. Branch/bank management staff as well as those with 11 years or more experience were proportionally more likely than not to have dealt with a customer who they suspected was being financially abused and this was statistically significant. Proportionally, cashier staff and customer advisor/service staff are more likely to respond to a suspicion of financial abuse by consulting internally with colleagues whereas, management staff are proportionally more likely to have responded to a suspicion of abuse by monitoring the situation, consulting with external organisations or by implementing formal procedures. Furthermore, those working at branch level in small and large towns are statistically
significantly more likely to monitor a situation in response to a suspicion of abuse compared to those working in other settings.

The most frequently cited source of guidance in responding to suspicions of abuse was individual judgement and previous experience. Those working in a customer call centre were comparatively less likely to have relied upon their own judgement or experience to respond to a suspected case of financial abuse than those working at branch level. Customer call centre staff were more likely to have relied on their previous training in fraud awareness, vulnerable customers or financial abuse. Furthermore, branch or bank managers as well as those with eleven or more years of professional banking experience were statistically significantly more likely to rely upon their judgement or experience when responding to a suspicion of financial abuse compared to cashier and customer service/advisor staff and those with ten years or less experience. Finally, the length of professional banking experience played the most significant role in influencing and/or predicting the sample’s responses to the five scenarios describing potentially abusive situations.
5 Chapter Five: Qualitative Findings

5.2 Introduction

This chapter presents the second phase of data collection. Between July 2017-October 2017, twenty-five semi-structured interviews were undertaken. Twenty of these were with bank managers from the five participating banks, who were proportionately allocated according to bank market share and having a national urban/rural representation. The remaining five semi-structured interviews were undertaken with members of the NSC. The chapter presents the five themes which emerged from the qualitative data. These are:

a. Defining a vulnerable adult
b. Cases of financial abuse of vulnerable adults
c. Case responses to Financial abuse of vulnerable adults
d. Contextual issues and
e. Ways forward.

For the purposes of reporting the narratives, the follow codes are used:

BM: Bank Manager
NSC: National Safeguarding Committee

5.3 Defining vulnerable adults

All twenty-five participants articulated what they perceived as constituting a vulnerable adult. Vulnerability was constructed as having many manifestations. Firstly, vulnerability could be related to needing assistance in making a decision:

‘A ‘vulnerable adult’ would be somebody who has the capacity to make a decision, but may need assistance in doing so. But then you also have, you would have adults that would be operating accounts that have got to a stage in their life where they don’t have the capacity to make decisions and they need more assistance in relation to acting on a day to day basis or their financial circumstances.’ (BM 1)

Vulnerability was also considered in relation to both cognitive and physical challenges which could impact on a vulnerable adult’s ability to make informed decisions:

‘My understanding of a vulnerable adult would be an adult that has either impaired cognitive abilities or an adult who may have impaired physical abilities that might leave them vulnerable in some shape or form.’ (NSC 1)
An adult could also be rendered vulnerable if they were unable to negotiate the technological processes in banking systems:

‘Well for me vulnerable is if you don’t fully understand the situation that you’re in. So I suppose, as we’ve said, there’s someone who’s not vulnerable in day to day, put them in a technology driven situation and they become vulnerable. It's mostly if you're in a situation that you don’t fully understand.’ (BM 17)

Vulnerability could also be transient. In the example below, the participant observes that people may be unable focus following a major life change such as bereavement:

‘The vast majority of people who come in [after a bereavement], they’re in shock; they’ve lost somebody close to them and people deal with shock and sure you know better than I do in different ways. But one of the things that shuts down is their ears or their memory and what have you so we concentrate more on the initial meeting around making them feel welcome. We’ll help them.’ (BM 20)

While age could be perceived as rendering a person vulnerable, this was not an automatic contributing factor. Also, it was recognised that vulnerability could be subjective:

‘So you get somebody, you will get 80 or 90 year olds who you would describe as not even vaguely vulnerable but you do tend to get a wider number of people who become more vulnerable for a variety of different reasons because maybe the more lonely after they’re retired so the vulnerability comes from issues like that rather than from an education or medical issue. It becomes more from a social issue and that just does seem to increase more with age. So yes you’d have more vulnerable people, you know, at adult stages but it is broader than that.’ (NSC 4)

‘And it’s a very subjective term, one person’s vulnerability is another person’s bad day or another person just a condition that they have to deal with. It's not a concrete definition and it possibly might contribute to stereotyping of people once they become a certain age or once they reach a certain age or if they lose certain faculties that they have.’ (NSC 5)

Another construction of vulnerability was related to people who were unable to speak English. In this context, the BMs were conscious of financial decisions and transactions being requested where there was potential for a lack of understanding:

‘So in a lot of cases they [people who have little/no English don’t know what they’re possibly signing up to, even though what they’re signing up to is OK, you know at the moment, but that’s still vulnerability, because they’re signing documents in a language they don’t understand and they don’t really understand, because we don’t have the opportunity to explain to them, the terms and conditions of finance and so on, you know?’ (BM 16)

5.4 Cases of financial abuse of vulnerable adults

All BMs had experienced instances of suspected financial abuse (financial abuse). In addition, the five members of the safeguarding committee spoke of suspected cases of financial abuse concerning vulnerable adults. Experiences were varied and included cases of opportunistic financial abuse, card fraud, cases where capacity was challenged, sweetheart scams and cases.
of suspected undue pressure. Cases described demonstrated careful diligence in safeguarding the vulnerable customer.

5.4.1 Cases of opportunistic financial abuse

Opportunistic perpetrations of financial abuse could occur in two ways. The first was via a stranger and the second was via a known person, generally a family member. It was also noted that the mechanisms of opportunistic stranger financial abuse have become more sophisticated in attempts to lure vulnerable adults into scams, particularly using the internet:

‘Historically if we go back before it became kind of technology fraud it was people doing jobs on people’s houses and then telling them that it was costing them €5,000 instead of, for cleaning the windows and things like that.’ (BM 17)

By far the most popular scam was ‘lotteries’ in foreign countries. The persistent factor identified for the BMs was the tenacity of the vulnerable adult’s belief that such lotteries were authentic:

‘And he firmly believed that he had won the Spanish lotto and that this was entirely legitimate because the person he was sending the money to was a lawyer and so on and so forth. And he had already sent […] about 20 grand.’ (BM 20)

Bank managers also observed that this scam continued over a period of time as the vulnerable adult continued to send instalments, believing the fallacy of a substantial end win:

‘The scary thing about this case is from 2012 to recently he was sending money via [money transfer company] for different reasons, anti-money laundering certificates, to register the cheque, to register you know, the taxes. He was sending all different money. In 2014 he then said, ‘I am not paying money via [Money Transfer Company] anymore because there are charges associated with that as well’. So he said, ‘I am going to do it via the bank’ so he asked for bank account details, which they gave him, it was Spanish bank account details. He then started using us from 2016 to 2017 when it was referred to me.’ (BM 9)

‘He [vulnerable adult] comes in every two or three weeks and he tries to send money to Spain. Won the Spanish lottery.’ (BM 20)

‘So, he [vulnerable adult] had come in…seemingly his mobile phone was chosen at random and he had won the sweepstakes. And he had won something like €600k odd but of course he had to send initially €800 to pay for the courier to bring the cheque to him. Now, that was actually sent from our bank and the next time he came back in he had to send €16k to pay the taxes.’ (BM 9)

Bank managers also spoke of the active trawling of vulnerable adult through online sites facilitating relationships. In the narratives below, it is clear that the scam was carefully constructed to build up trust and reel the vulnerable adult in, resulting in a gradual depletion of the vulnerable adult’s bank account:

‘Yes there was one [sweetheart scam], two particular instances this year alone where I suppose somebody met somebody online and they wanted money and customers are… the customer in question for us was sending away money every month, every penny they had to spare they were sending it away and this was going to end up in marriage and so on but again…without actually knowing the individual…until they got
sitting in front of you, you could see they'd be very susceptible to something like this.’ (BM 15)

‘...she [vulnerable adult] was getting emails or [...] she went on to [...] some sort of a dating site, initially, and this fella latched onto her and he said that he was over in [country], and he was all over the place, and he actually at one stage said he was...he'd landed into [city] to come to meet her, but he got arrested, and that she’d have to send on thousands of euros. And she had sent on 20-odd thousand, and what was happening was, it was coming in very regularly from the [country], over a two year period, now, or longer even, and she was moving it back out...moving it on out to them’ (BM 7)

’Soo, she [lady with intellectual disability] had met this gentleman online and obviously he had struck up some form of relationship with her and they had obviously, he had obviously convinced her that they were going to buy a house and build a house. He obviously needed the money, so she had come in to the branch to send off, now it was small amounts because she was only in receipt of disability benefit and so she had come in to send off money.’ (BM 9)

Similar to sweetheart scams, was the desire to sustain ‘friendships’ which impacted on keeping ‘friends’ happy:

‘...but he spent money and he said, ‘I'm getting my money back, I'm going to spend more to get it back’...’You won't get it back.’ He could not see it. Really sad, you know. Despite all our convincing, despite everything we did, and we heard nothing for a few months. Then he came back in another day, ‘I want to borrow money because I must send money to my friends out in- XXX’. (BM 6)

Equally, random contacts via the internet or phone were recognised as opportunistic efforts to financially abuse:

‘...the common one is where the customer is called up and they pretend to be from a reputable company. So, that could be, the ones that are coming to us that are the customers that I have seen they have often pretended that they are from the bank. So, they say they are from [bank] or the other common one is Microsoft.’ (BM 9)

‘...you often see them coming in with their mobile phones maybe saying, 'I got an email asking for my log in details, is this valid, is it not valid?' And we explain to them that look, [bank name] will never ask you to log in. I have had occasion where again a phishing scam, they seem to target older customers where they'll ring their house and say, I'm calling from [bank name], there's a problem with your card, but even a roundabout way, [try to] get their card details off them.’ (BM 3)

Opportunistic financial abuse could also occur where the perpetrator lurked in or around the bank itself. For example, it was recognised that circumstances where PINs were written down, or the withdrawal of money could be covertly observed and trigger a subsequent targeting:

‘And of course vulnerable customers won't remember a PIN number. And we see typically they come in and they take out a jotter or notebook to check and anyone observing that can see. And people often comment on the fact that the machines are so open on the wall. You go out with a large cash lodgement or cash withdrawal. Somebody could be just in there walking around the bank and observing, and follow them out. It does happen.’ (B 6)

'I had one gentleman there last year, he did take out €800 and put it into his pocket and we watched the CCTV and he said when he got home it wasn't there.’ (BM 5)
‘…there was a customer in a branch who had…it goes back to the physical aspect of it…so when they were paying for stuff, they needed assistance getting their wallet out of their bag, OK? And therefore you can have a stranger in a queue and say ‘Can you just help me get my wallet out of my bag here?’ You don’t know who that person is, or whatever.’ (BM 1)

Opportunistic perpetration of financial abuse by a person known to the vulnerable adult was also observed. One manifestation of financial abuse, which was noted to be in decline, was chequebook fraud:

‘Like there’s always people keeping one step ahead of the game and, you know, but with the reduction of cheques in society and just the changes and the moves towards online, you know, they, they, I suppose the examples of those are slim now, but they used to be very prevalent, you know what I mean?’ (BM 16)

‘Thankfully cheques are…they are becoming less and less so. It’s the opportunities to abuse chequebooks are getting less as a result as well which isn’t a bad thing. It’s a whole lot easier to kind of scribble someone’s signature on a cheque than […] to actually come into the bank to try to take money out. And for the personal, famers will have chequebooks but very few personal customers will have chequebooks anyway.’ (BM 17)

However, the BMs did recount examples of this occurring:

‘Then she [lady with physical disabilities] had a cheque book so she was writing cheques and it turned out that her son-in-law, her son and her sister were defrauding her. And her son, the wife was taking the sisters…the sister was taking her money because the husband had a gambling problem […], the guards were involved in it then after that.’ (BM 18)

‘…sometimes you would have seen maybe sons taking cheques from parents’ accounts and you know using them but not I suppose cheques are less and less prevalent now as well so I wouldn’t see as much.’ (BM 8)

A common concern for BMs was where a debit card PIN was disclosed to another person, usually a family member(s). The vulnerable adult would often share the card and the details for convenience so that their financial transactions could be completed on their behalf:

‘We’ve seen it [vulnerable adult having given PIN to another person] happen at the counter, where we’ll say – son or daughter, or whoever, family member, or whoever. They send them in with the card and the PIN number to take money out for them.’ (BM 6)

‘Yeah and [carer] was creaming off very small amounts because she had the number. She’d take the card out of the kitchen and go and withdraw money and then put it back again and, you know, it was very small amounts that were taken out so it was very easy to do.’ (NSC 4)

Although such arrangements may provide convenience, the banks’ terms and conditions of having a debit card facility clearly state that this is prohibited:

‘…if you hand your PIN number and card to somebody else, you’re in breach of your terms and conditions, so that’s one of the stances that the bank will take.’ (BM 20)

5.4.2 Trusting the perpetrator
The vulnerable adult’s trust in the perpetrator could be such that monitoring the account was not considered an important regular activity:

‘There was one, well I suppose there was one particular case where a family member had the access details, the card and the pin number and over a 12 month period they took out something like €17,000 out of a current account you know. Now in dribs and drabs and there’s a limit on every card that you can only take out and it wasn’t like every single day or anything like that, it was over a period of time of about 20 months and the customer involved was getting a statement every three months. They never looked at their statements and they wanted to check one particular provider they were paying something that they wanted to check that it didn’t come out and then they noticed there’s €17,000 gone out.’ (BM 15)

When the bank is able to demonstrate the money trail, this can lead to shock and disappointment:

‘Actually we had an instance of it here in the [place] last year where like brought in like the person they were completely shocked. Yes couldn’t believe it was their relative so then like we asked you know we said ‘Look we can bring this further’ and they didn’t. You know I’ve never had a family one that wanted to go further.’ (BM 8)

‘I had another elderly woman who came in and there was money missing from her account and there was [betting company] Online all over the account, which obviously wasn’t her, but she was very quickly copped herself who it was.’ (BM 3)

However, by the time the vulnerable adult notices, the money is often lost:

‘Where somebody for example would be taking, would have the PIN number of somebody and is taking a lot of money out of their account and the money is gone before the vulnerable person themselves tries to do anything about it.’ (NSC 3)

Financial abuse could also be from known people who attempt to convince the vulnerable adult to invest in spurious activities. This targeting can take advantage of the potential naivety of a vulnerable adult, where promises were taken at face value. The excerpt below demonstrates a complex story where a potential business was being established outside Ireland. The person indicated that the money was being sourced from another customer, who was known to be a vulnerable adult. It is also observed that this person was susceptibility to multiple dubious approaches for money:

‘The customer said he was setting up a business in [country] and said that this [second] customer was lending him the money to get started. Immediately alarm bells rang. Then he [second customer] came back in a couple of weeks later and he said he had met another guy, and this guy wanted to invest [in] a coffee shop up the way. So, again, we had the conversation (BM 10)

5.4.3 Entitlement

An area considered in relation to cases of financial abuse was that of entitlement. This would manifest as justification for the removal of the vulnerable adult’s money because of a belief that caregiving and/or kinship meant the perpetrator had a right to the vulnerable adult’s finances.
In the narrative below, the rationale for using this money, regardless of where the vulnerable adult lived, for uses other than the person was considered a paternalistic right:

‘And that person themselves [perpetrator] doesn’t view that they were out of order in any shape or form because they would say they are looking after the person’s money and they also would have spent a fortune down through their life rearing that child and they are now in a situation whereby that person is moving into a community or residential care plan and they would view their rights [of money] as being just as strong as when that person was a small child growing up with them and that is not the case.’ (NSC 1)

The entitlement to make financial decisions without due process was also acknowledged when a member of the NSC spoke of an experience where a daughter assumed she could remove money from her mother’s account without legal authority:

‘Don’t worry I’ll just to go mammy’s account ten times and take out €900 each time’ [daughter] and I said ‘No you won’t’ and I said ‘it has to be done properly’ (NSC 5)

This sense of entitlement could provide permission to use the vulnerable adult’s money as the perpetrator’s own and this could be underpinned by the perception that this was an early instalment of inheritance. In the excerpt below, the BM describes the challenges experienced in trying to ensure that proper procedures are followed, particularly related to the solicitor’s assumption of entitlement before the woman’s will is executed. This excerpt also demonstrated the intuition in ensuring the right thing was done (paying the nursing home), despite the lack of legal mandates:

‘…and then one of the relatives got her visa debit card, and she used it for her own lifestyle, spending…there was thousands gone out of it. Now the customer didn’t actually realise it or know it because she was [living with dementia]. Now the woman is over 90. She is now in a nursing home and there is money there to pay for her, which is fine, but we’re being a small bit flexible because by right she should set up a legal arrangement for somebody, and our legal advisor, our bank solicitor has spoken to her solicitor, and her solicitor said “Absolutely no way, because it’s going to cost 20,000 to get that set up, and ‘tis dead money and a waste of time.” Now I spoke to the solicitor because she….but we know her very well, and she said to me “The bottom line of this is, if the two relatives spend all the money now, they’re just spending their inheritance, because they’re the only people that are going to get it.”’ (BM 8)

5.4.4 Undue influence

Undue influence, or coercion, is where a person uses power over another person to influence a decision. The participants in the study described manifestations of undue influence of vulnerable adults. This could include being accompanied to the bank to ensure funds are withdrawn. In the narrative below, one BM describes being alerted to this possibility by another family member:

‘…there is a particular customer at the moment who would be deemed vulnerable in that I suppose her niece has confirmed that she has dementia. She is currently still living independently but her son is caring for her at home in the family home, but [she] has dementia and the niece who would be joint party on the account had rung to say
that she is concerned that the son was accompanying the woman to the branch to withdraw funds.’ (BM 9)

Or the vulnerable adult could feel empowered to disclose the financial abuse to the BM:

‘…for example he [vulnerable adult] would have came in one day and said he was [...] being threatened, in terms of somebody doing some work on his house/roof.’ (BM 24)

‘…we sat down with them, we sat him [vulnerable adult] down, we left your man sit down waiting in the banking hall, and he was saying, ‘I wouldn’t be happy with the work they [rouge traders] did now and I really feel under pressure here now, I’m struggling here’ (BM 6)

Equally, the vulnerable adult could be accompanied by unknown individuals to ensure money was withdrawn:

‘Only two weeks ago […] a man arrived in, he had some 17-year-olds with him. He was in, I would say, 70s and they were quite aggressive and so forth and wanted €70,000 in cash from his account which had only arrived into his account three weeks prior to that and he was suffering from what I would call ‘niceness’. He couldn’t have been more pleasant but was clearly under the influence of young people.’ (BM 20)

‘I can’t remember the full details of what they were doing but it was definitely somebody called around to do work on the house and all of a sudden it became astronomical and the person was herded into the bank to take the money out because obviously they wouldn’t have it on their person.’ (BM 17)

One BM detailed an experience of an older man who was accompanied to the bank by someone posing as his granddaughter. The ‘granddaughter’ waited outside but when there was a delay in completing the transaction, she panicked, leading to a scene which enabled the financial abuse to be identified:

‘So I brought the customer into an office and sat down and he kind of started telling me a story that he, that his granddaughter was going to [country] and he needed to give her the money, but he didn’t think she should go and with that, it was only very early into the conversation, when a young girl in her early twenties came in and started screaming and shouting looking for her ‘granddad’. As it turned out it wasn’t her granddad, it was a mule account. She came in screaming, shouting, looking for the money…’(BM 3)

However, even with careful observations, if suspicions are raised and there is no disclosure from the vulnerable adult, banks can be obliged to process the request if capacity is present and protocols are followed. In the experience below, the staff suspected some difficulty, but this was not disclosed and written withdrawal requirements were fulfilled:

‘A younger guy, probably in his thirties, came in with an older man […]. And there was […] a louder conversation happening. They weren’t shouting or it wasn’t… it was a very uncomfortable in the queue […] and one of the team on the floor kind of flagged it to us, said ‘Look, we’re not sure what’s going on here.’ We kind of observed it to see what was happening. Effectively what happened was the man went up to the counter, the older man was very quiet, the younger man was quite determined and the money was given out, because the older person’s account was there and they signed for it and everything.’ (BM 16)
Undue influence could also translate to a perpetrator’s threat to discontinue contact with the vulnerable adult if money is not forthcoming:

‘…the couple told him ‘To ensure we come back we want you to give us this, to give us money.’ So he was so afraid that he would give them [the money] because he wanted them to come back because he knew if they didn’t come back he’d have no help and then he would have to go into a nursing home.’ (BM 17)

‘There was another lady [daughter of vulnerable adult] who threatened to stop bringing her grandchildren.’ (NSC 5)

Or undue influence could be related to malicious threats, which lead to financial abuse:

‘House is fine, everything is grand, it’s all in fine fettle but a young girl knocked on the door a couple of months ago and told him that if he didn’t get her money that she would accuse him of whatever, abusing her, assaulting her or whatever it would be. He lived on his own, single guy all his life, terrified that he would be accused of something and whatever. Just play on your fears.’ (BM 20)

5.4.5 Capacity

The participants in the study also considered cases where capacity was a factor in financial abuse. One NSC participant recognised the potential for financial abuse in environments other than banks and considered financial abuse in relation to social welfare payments such as pensions or disability allowance:

‘But of the thousands of department of social protection payments that are made and just the age profile alone on the 80 plus and the level of cognitive impairment that we know the level of dementia that exists amongst that population you know, we can safely say that there are you know that easily there are a couple of hundred thousands of adults in receipt of some form of either old age pension or the department of social protection disability allowance that we could not put our hand on our hearts and say we are satisfied over the arrangements.’ (NSC 1)

If any concerns regarding capacity were raised, BMs understood the potential for financial abuse and would halt any proceedings to ensure protection:

‘I mean the process would be, you know, there’s a difficulty between incapacity and non-incapacity. If somebody, if we feel somebody is, you know, unclear altogether that they’re just not clear in their minds or there’s a level of doubt about the clarity of their decision making, from a capacity perspective, there’s a process for that. You can actually get to the point and say well actually I’m not happy to proceed.’ (BM 13)

Vulnerable adults who had capacity challenges could have their monies taken and this may occur over a period of time and may only be discovered via a third party:

‘…there was a customer with significant learning disabilities but not enough that they needed 24 hour care but quite close to it and their family, sibling and a parent were actually misappropriating their funds but they didn’t even realise this, it was their other parent that brought this to light so you know they [didn’t have capacity] to understand that their funds were being misappropriated and it was the figure of €10,000 to €12,000.’ (BM 15)
The challenge of identifying people in the early stages of dementia was also highlighted in relation to capacity.

‘You would see it, it can be very difficult to identify, because the nature of that kind of early onset dementia is, one day a customer can be absolutely fine, and then next day they might have difficulty recalling.’ (BM 4)

5.4.6 Power of Attorney

Members of the NSC observed how financial abuse could be perpetrated on vulnerable adults who had Power of Attorney orders in place:

‘I’ve had at least certainly two cases where power of attorney has been abused and we cancel the power of attorney to the high court where a person transferred a persons sold land on behalf of a vulnerable adult and lodged those proceeds to an account generating false invoices for a home care managed to move funds, significant funds.’ (NSC 1)

Equally, Power of Attorney could be abused and picked up by banks when suspicion is aroused relating to dubious financial transactions. These observations present a trigger to further investigate:

‘We would see that in terms of the staff actually approaching us, the only case I can recall is a case where we did have a power of attorney in place for an adult daughter who had been operating the account […] find and looking after nursing home fees, etcetera. And suddenly then there’s a large cheque maybe made payable to herself, and the staff flagging that to us then, myself and any of the customer service manager just to say, look, is this… are we satisfied with this, because it’s not in keeping with regular transactions.’ (BM 4)

5.4.7 Financial abuse related to joint accounts and third party accounts

The participants recognised the inherent potential dangers in having a joint account or a third party account. A joint account essentially means that the money then legitimately belongs to both named persons on the account. A naïve perception of the altruism of families could obscure the vulnerable adult appreciation that financial abuse could happen:

‘Most of the time the parents don’t see any wrong in the children so they all think ‘No, that'll never happen to me.’ [abuse of joint account] (BM 12)

Consequently, an awareness about the implications of joint accounts was required:

‘I think joint accounts are really, really useful for people to […] manage their accounts, but again as part of awareness raising, be it on the part of government agencies or the banks or service providers, I think there needs to be a really good awareness of the fact that a joint bank account survives the death of one person and that people, it isn’t, it’s a very common practice, but people really need to be aware of the risks in some cases.’ (NSC 3)

Having a joint account with a spouse was considered less potentially perilous than with other family members, but the index of risk rises with other people:
‘And unfortunately, generally when it’s [joint account] husband and wife typically, or a married couple or maybe a partner it tends to be okay but you will find sometimes people might bring a distant relative in or depending on if there’s an ageing customer they have some family member, maybe a nephew or a cousin, or a grandchild, possibly. I’m not saying again we’ve seen any evidence of that but there’s always...potential.’ (BM 6)

The potential of what could occur was described by one BM, who recalled a case where the joint account was opened for convenience and the result was the second person had a subsequent legitimate entitlement to the money:

‘So we would have had a case when I worked in another branch of a woman and a carer opening a joint account and then the woman passed away and then the carer was in possession of all the funds and then when it came to the will […] obviously the family hadn’t been aware of this account, I mean the carer ended up getting a good chunk of that money because basically it was a joint account […] I think we’d be more aware of it now than we had been in the past.’ (BM 8)

In addition, problems could arise with third party accounts where this could be abused:

‘And the third party had come in to withdraw funds, a draft for €6k made payable for a car company and €3k made payable to her husband. Now, on the day that she had come in, the branch had given out the drafts, which is fine because she is named on the account. She is a third party but still the transaction would have been deemed unusual. So, they contacted me, what I would like to happened […] they didn’t give out the drafts […]. So, I […] then suggested that they try and contact the main account holder which would have been the elderly lady, either by phone, by post or whatever way they could get in touch with her. When they did get in touch with her she actually did confirm that she did not agree to those transactions, and that she was not aware that they were happening. At which point we put a stop on the account, just to safeguard it because there were other monies being taken out by ATM which she also confirmed she was not aware of.’ (BM 9)

‘But the big issue I would have had around abuse would have been a third party making the decision themselves that they are going to operate the finances in such a way that unwittingly leaves and older person with a debt and leaves an older person to pass away as a debtor […]’. (NSC 1)
5.5 Responses to financial abuse

Once financial abuse was suspected or there was some concern that the vulnerable adult was at risk, the BMs described a number of actions that would be taken. Firstly, the BMs described how they would appraise the situation to tease out some understanding of what might be happening. This included taking the time to personally visit the vulnerable adult if attending the bank was difficult:

‘We had an incident recently where this person had presented, we contacted the person, we weren’t overly happy with the response and we weren’t too sure was the response just because they weren’t sure why we were ringing or what we were checking or what it was. So, what we did there was two of my staff members went up to visit the person in their house and they sat with her for a while, she explained clearly her position that she’s just unable to leave the house.’ (BM 13)

This could mean having difficult conversations. In the excerpt below, the BM describes how, in the case of an adult child with intellectual disability, he would champion the rights of the vulnerable adult to make autonomous financial decisions:

‘I mean I would look at them and I’d say ‘I’m here to protect your son or daughter. They’re my customer. That’s my job. If you want to go and get a court order or get a power of attorney, you’re quite entitled to do that. But you have to go to court to do it.’ (BM 12)

5.5.3 Intuition

If something appeared amiss, intuition was apparent in sensing something was not right:

‘No this is just I suppose an intuitive feeling that ‘this doesn’t feel right.’ (BM 14)

‘…then you have noticed that they probably are operating their account outside of what the norm would be and it would raise a suspicion I suppose in relation to ‘OK why is the customer operating this way?’ (BM 1)

BMs also enabled payments for legitimate costs in relation to the vulnerable adult’s expenses, although this could be on their own initiative:

‘Well, in a bereavement case where a husband dies and the wife’s name isn’t on the account that’s a desperate situation because they’re, you know, you can you know on a case by case and subject to local knowledge you can give them the money for the funeral and you know, just to tide them over for a very short time. But technically that’s an in-house arrangement, that’s only you’re looking on local knowledge.’ (BM 18)

‘I remember we had another case where they were living at home and it was a case they were getting, they were taking out money for to make the home more user-friendly, be it railings for the shower and stuff. It might have been a couple of grand in stuff there but even what we tend to do is ask them just to bring in their receipts when the payments are ready and we will organise the payments.’ (BM 19)

Intuition was linked with experience in banking with BMs recognising that professional longevity enhanced customer service:
‘I think as well the longevity of staff within the banking tends to be, you know, anything up to 26 years so most of the tellers, the CSO’s that are behind the counter actually know who the customers are.’ (BM 10)

Intuition would then lead to taking action to clarify what was happening to ensure the vulnerable adult was making a decision based on free will and not subject to undue influence:

‘Very gently again, as with the bereaved person, we’d usher them [person trying to withdraw an unusual amount] in here and I would ask them what they … gently you probe and again it’s a matter of reading the situation.’ (BM 20)

‘As standard we will always check where the money is going [where there is unusually large amounts leaving the account].’ (BM 2)

‘… if their first point of interaction was maybe with a frontline staff member, be it cashier or welcome advisor, they will have the experience then to refer them to either myself as branch manager or our customer service manager. And typically there’s a lot of experience there between the customer service manager and the branch manager, to assess the situation and to use judgement then.’ (BM 4)

Other actions included intuitively sensing that it is important to ensure that decisions are the vulnerable adult’s independent decisions. For example, the BMs, in the excerpts below, arranged to speak the vulnerable adult alone, ensuring privacy, so that he/she could ensure the choice was autonomous:

‘So, in a scenario like that where it’s not a normal routine transaction, it’s an unusual activity, our procedure would be at a point in time and in a nice way you would ask the other person to excuse themselves. Now, we normally in this building, we’d normally have them in a room or we have booths there as well but you would take, you wouldn’t be doing this at a counter now, you’d be taking it away from a counter.’ (BM 13)

‘Normally… the odd time I might go up to the nursing home there but again two of us would have to go up. And the customer would have to be able to confirm what they wanted to do with me.’ (BM 12)

5.5.4 Identifying the reality of scams

In relation to the scams, BMs tried to reassure the vulnerable adult that the opportunistic contact was a scam, reiterating that banks do not request certain account information in this way:

‘This is a scam isn’t it?’ and I was like ‘Absolutely it’s a scam’ I says ‘A bank’ or sorry ‘Never transfer your details onto a party you are not personally familiar with or that you don’t have a reason to do business with’. I said so ‘No, it’s a complete scam’. And likewise you will probably get calls the odd time; ‘I received an email from your bank. It was this sent from you?’ and again you’ll be saying ‘No’, under no circumstances would the bank be emailing you offering you account details or asking you to verify your account details. And that would be I suppose somewhat in the general public domain, but it mightn’t be there for everybody.’ (BM 1)

Equally, for lottery scams, BMs made significant efforts to demonstrate the reality of the situation through examining fake documentation and the logic of having won a lottery:
‘Yeah, I mean, you can clearly see that and I have the name blocked out there but you can clearly see that it is computer generated. I mean, even the holograms and I mean, they didn’t even finish the border on this certificate….’ (BM 9)

‘And I said, ‘Did you enter the Spanish lottery?’ you know, after a conversation with him and honestly the hair stood on my hand and he said, ‘At the time [name] I did not’. (BM 9)

5.5.5 Seeking advice

BMs spoke of two methods of seeking advice. Firstly, seeking advice from more specialist internal resources within the bank and secondly, advising the vulnerable adult to seek advice or support. Internal resources include liaising with the head bank office and legal departments to ensure appropriate actions were being taken. The experience of BM 6 shows how the various helping options are considered, highlighting the mindfulness of confidentiality:

‘Now we have flagged our concerns up the line. This is where the problems started arising for us. Because we have a vulnerable customer [resource]. We were trying to say, ‘Okay, what’s her doctor’s position in this’, you know, does she need full time care and attention, does she need power of attorney to give it to somebody else. We couldn’t necessarily contact her sister in [country] because we can’t really discuss her personal affairs...’ (BM 6)

‘But if you feel that the customer is vulnerable otherwise, there is a form that we complete and it’s sent to head office, and they decide then if there’s any further action to be taken on the account, as in to block it, or get him in again or do something like that.’ (BM 7)

BMs also indicated that they would advise vulnerable adult to get independent legal advice and may require some supporting evidence to ensure financial decisions are undertaken with full knowledge:

‘…we would generally recommend that they’d get legal advice and (a) we want to talk to a solicitor, want you to talk to them or (b) we want something from your solicitor saying that this is what you want to do just to cover them rather than us because again it’s your money you can do what you like with it, we’re just making sure that you’re doing the right thing rather than if we don’t do this there’s no recourse to us but it’s more about a duty of care to you.’ (BM 15)

Equally, bringing a trusted person to assist the vulnerable adult could be recommended:

‘One customer was getting some building work done and he was taking out lots and lots of money, so I brought him in and I told him I wanted to talk to him and he was a little bit confused so I asked him to bring in his sister with him to make sure that the building work was going on and they were happy.’ (BM 11)

In the event of a vulnerable adult from a nursing home, a range of people may be contacted if financial abuse is suspected:

‘[Contact] Police, family members and possibly a solicitor, but it would be the Gardaí and their…possibly the nursing home.’ (BM 16)
‘And it’s difficult as well because it’s, I suppose if you inform the Guards it’s on a family member. But like we do have an onus to protect our bank account as well, there’s grey areas at times particularly when you’re dealing with families.’ (BM 17)

However, seeking advice was limited to within the bank itself and related to the vulnerable adult and inter-sectorial links with external safeguarding services were limited within the majority of BMs:

‘No, no, no. I wouldn’t have really been even aware of the safeguarding services in the HSE.’ (BM 3)
‘No. Never. We’ve never had any interaction with them [HSE safeguarding].’ (BM 7)
‘Not, not that I’m aware of anyway [contact the HSE safeguarding.’ (BM 16)

5.5.6 Stalling

Actions also including stalling the decision or action with the aim of allowing the vulnerable adult time to reflect on the proposed activity and this was often followed up with an additional contact to further discuss:

‘We may not open it [joint account] immediately because what we’d say then is, ‘Well we have to get our documentation, we have to get all the procedures’, so a phone call, ‘Are you still happy to go ahead with opening this account?’ (BM 11)
‘But the first thing we’ll say to them first of all you need to come back tomorrow because we have to arrange this for you, you’ll come in at a suitable time and date and we’ll need to have the funds a vulnerable adult and everything’s under time lock. So first of all that’s buying you time to maybe suss out what’s happening here.’ (BM 6)
‘Yeah, [people being accompanied to bank to get their money] we would always say ‘I’m sorry, we don’t have that much money, you’ll have to come back tomorrow.’ Again, give them €200 or €300, not to embarrass them that they can get no money out of the account or whatever. But if we don’t know who they’re with or if they look a little bit unhappy about it.’ (BM 12)

5.5.7 Sharing knowledge of financial abuse

From an organisational perspective, the BMs identified that there was a proactive approach in sharing concerns of scams and other methods of financial abuse. In addition, banks facilitated training on the topic of safeguarding and financial abuse:

‘…we tend to have a central mail where we would advise other branches just to be careful this is something in X branch today and just to have a look out for it you know? But in fairness, with ourselves you know there is a good bit of information and training on the side of the whole vulnerable side of it, which is good.’ (BM 19)
Accounts could also be flagged so all staff are aware of potential financial abuse related to that vulnerable adult:

‘Yes we have what is called a referral marker, so if we have any sort of you know, activity on the accounts in terms of vulnerability and things like that it will automatically flash up and then obviously if it is related to another branch a telephone call will be made to the branch manager over there and vice versa, so […] the staff would be very well versed on that in relation to dealing with that situation and the processes that would follow. And obviously we have a reporting system as well so in relation to that everything is fed up the line as well in terms of our controls and our risk side of the business, we always ensure that we follow all procedures to make sure that everything is being adhered to.’ (BM 10)

5.6 Contextual issues

A number of issues were considered in relation to the context of financial abuse of vulnerable adults. This related to understandings of financial abuse and the general issues experienced in the case examples discussed and include undue influence, entitlement, account types, the changing environment of banking, capacity and differences in urban and rural areas.

5.6.3 Undue influence

All participants recognised issues which were contextual to financial abuse of vulnerable adults. As discussed earlier in the case examples, vulnerable adults could be under undue influence from others:

‘But always I told the staff out there, you have to be aware that anyone coming in, elderly people coming in looking for money, that they know what it’s for, that they’re not being browbeaten by somebody doing their chimney or doing tarmac or something.’ (BM 12)

‘Yeah or even just trying to make them see, because a lot of the time it is there in front of them, they are just so caught up in the idea of the romance or the outcome that they don’t see what is kind of there.’ (BM 9)

And within the context of Ireland’s economic recession, parents could be placed under pressure to financially support children:

‘But I do think there was massive amount of abuse over debt, recession type debt, and that is different because I would have seen a lot of people being told well the child will be made bankrupt.’ (NSC 3)

5.6.4 Entitlement

Another issue within the case descriptions was families’ perception of entitlement:

‘Again families think they own the money and that’s the bottom line. And indeed for decision making families think they can make decisions for people over 18 years of age… A huge sense of entitlement and a huge sense of inheritance so why can’t I accelerate. Or the uncle and the nephew, the nephew knew he was going to inherit anyway so he just couldn’t wait for it, he had to have it early, you know.’ (NSC 2)
‘…in a lot of cases my experience is that these next of kin, while they have [been abusive] in their management of funds the opposite [is the] case in the management of the actual care of the person and they a can evidence really good care and investment of a huge amount of their time […] and sometimes that gives them an entitlement sense and in some cases they would see that the case was the person was just accelerating their inheritance which is financial abuse.’ (NSC 1)

This entitlement could also occur after the vulnerable adult’s death:

‘Oh they’re [family] just 100% there is an entitlement, ‘But it’s my mother’s account’ or ‘It’s my father’s account’ and it’s you going ‘I understand that and while I’m very very sorry for your loss, it was your mother’s account. It wasn’t your account and the confidentiality on that account still stands as if they were here today. You don’t have access to that information.’ And it’s not the nicest conversation to have and you wouldn’t have it that bluntly, I’m just you know…’ (BM 1)

5.6.5 Account types

The case contexts described by the participants also highlighted the importance of knowing consequences of account types which could heighten risk of financial abuse.

‘So if somebody is coming in to me and the money is belong to the parent and they want to add on their son or daughter, or we have to open up a new account for both of them, I would talk to the parent on their own, making them aware that in a week your son or daughter can come in here and take all the money out of the account. That’s the reality.’ (BM 12)

‘So that again is a grey area because that’s the customer giving authority to that right. So, I suppose from a legalistic perspective you know like that is the instruction operating that account. What you […] try and do is […] sit down with the customer, understand as to what was agreed and if it was a personal arrangement […] what you would try and advise a customer is there are options open to them, to how shall I phrase this, put a hold on that right.’ (BM 20)

‘They’ve equal rights on it, so look it’s [joint account] one of my bug bearers with staff and it’s something I’m always saying. (BM 5)

Ensuring awareness of the consequences of opening accounts was deemed an essential aspect of public awareness:

‘I think they’re [people in general] not [aware of consequences of a joint account], but I think we’re getting better at explaining to…like we…again now, any of those type of accounts that come in, our legal advice is open them as authorised signatories as opposed to joint accounts, because you still have your ability to make a will and will it to somebody else, if you so wish.’ (BM 7)
5.6.6 Changing environment of banking

The changing face of banking was also considered in the context of financial abuse of vulnerable adult:

‘…there’s still customers to this day and we’re 30 years on who will […] never will use an ATM machine, never mind any other form of technology. There are others who couldn’t survive without it. Couldn’t survive without it, you know. So, again there’s this space of not assuming anything on people’s behalf. There are people who are brilliant on technology and there are people who won’t press the button to turn it on and struggle with the Sky remote control or their mobile phone. So, we don’t pressurise anybody to do anything. But if they want to, and we have two cashiers here they can still deal with, I have four staff out there, they can engage with every minute of the day but if they do want to go to our lodgement machines or our kiosk, I have a full-time staff member there doing nothing else only assisting.’ (BM 13)

While the move to increased digitalization of banking services was a feature in banks, one member of the NSC noted the need for continued face to face services:

‘The one thing, I would say when dealing with anybody who’s not comfortable with internet or phone banking or whatever […] create the service that they want, don’t ask them to buy into the service that you’re offering[…] if older people were to design their banking service, they would say something that is in the town, don’t close down our banks.’ (NSC 5)

Internet technology was discussed in relation to the support that vulnerable adult need to access digital services:

‘[…] as a bank we are becoming more and more digital so we are trying to get people to go down that path with us but I think there are […] pitfalls to that so […] the onus is on us then to make sure that people are savvy in relation to what they are doing.’ (BM 8)

In addition, there was a danger of handing over access details, which increased the risk for financial abuse:

‘[…]we would find that older people in particular are concerned about vulnerabilities and how to use online banking and their natural apprehension and fear in some cases towards it but then secondly to that is they tend to probably give their access details to various different people in their circle that they’d trust, which obviously is against bank regulation.’ (BM 15)

The move to online banking was also considered an issue for the Central Bank of Ireland to consider in developing further. Although, some work has been undertaken, additional clarity was considered:

‘…the Central Bank, has produced their recent paper, consultation discussion paper on digitalisation. I think that’s a big issue. Already we have an issue with the card and the PIN number being handed to somebody else. I think there are huge issues. So I think again the Central Bank has to take note of that and how we deal with it.’ (NSC 2)
5.6.7 Capacity

Identifying capacity issues and having a process followed was considered important to ensure the protection of vulnerable adult from financial abuse:

‘I mean the process would be, you know, there’s a difficulty between incapacity and non-incapacity. If somebody, if we feel somebody is, you know, unclear altogether that they’re just not clear in their minds or there’s a level of doubt about the clarity of their decision making, from a capacity perspective, there’s a process for that. So, I have to say they’re the kind of cases that they’re so watertight in terms of the paperwork involved in them, because it’s a legal case, it’s actually very easy to manage them.’ (BM 16)

BMs were particularly sensitive to traumatic experiences which rendered an individual vulnerable and recognised the need to take time to make decisions. It was recognised that the capacity to make important choices could be impacted by transient traumatic events, such as bereavement:

‘Oh yeah, absolutely. I’d say [after a bereavement] ‘Look, there’s no panic, no hurry in doing it. What do you need today? And come back to me in a month or two or three weeks’ time when you’re feeling up to it.’ (BM 12)

The context of the public’s understanding of the legislative responsibilities of power of attorney was highlighted:

‘…when you try to actually manage somebody’s account, the options can be difficult to understand and as you say, there needs to be more of a push or a guidance towards people and understanding the importance of a power of attorney on your account.’ (BM 1)

And it was recognised that such arrangements related to power of attorney required the appropriate documentation to legitimise the financial activities related to the vulnerable adult account:

‘…so we get all the paperwork [for legal arrangements]. We get, you know, we’ll only deal with the designated people.’ (BM 16)

5.6.8 Rural and urban differences

The participants also identified issues in relation to financial abuse of vulnerable adult in geographical terms. Bank staff’s relationship with customers was considered closer in rural areas:

‘Yeah, sure it’s [really knowing the client] different in [city 1] or [city 2] or whatever where the volume would be a lot bigger.’ (BM 12)

The issue of broadband and having access to internet banking was also commented on in relation to urban-rural contexts:
‘[…] because some people I know are in […] rural areas and they don’t have broadband and they don’t have a computer and they don’t have the support either to be able to get on online banking.’ (BM9)

Also, financial management in marriage could be different in rural and urban areas:

‘You have a little bit of that [gender alignments where the woman managed the household and the man managed the finances], I’d say it mightn’t be exclusively a rural thing but it does happen quite a bit. I’ve worked in city centre branches and things, you would have more of that in a rural setting. I’d often have the husband and wife would come in here and possibly rural elderly couple and one does all the talking, the other doesn’t say one word and that’s the way it is, it’s just the way the family is run.’ (BM 5)

One BM observed a greater susceptibility to scams in rural areas:

‘I worked in a branch even though it’s only down the road from here but it would have had a more rural customer base so yes you know tarmacadam [scam] yes, so I mean the minute people would say that you’d always say ‘hmmm’ and you’d raise the doubts and like we would have definitely like that whole tarmacadam, tiles, painting you know’ (BM 8)

5.7 Ways forward

All participants were asked to consider ways forward with regard to improving responses to the financial abuse of vulnerable adults. The responses considered both enhancements within banks and within society.

5.7.3 Ensuring vulnerable adults understand financial decisions

This was particularly in the context of a lack of public understanding of what constituted financial abuse:

‘And actually, funnily, when you explain why you’re saying you just can’t do that and you bring it back to, you know, if you use somebody else’s money without their consent that’s effectively like theft, you know, somebody will say ‘oh God, I never looked at it that way, I was only trying to help, is there another way I can do it’ (NSC 3)

Consequently, drawing from the participants’ experience, there is a need to raise awareness of the consequences of financial decisions. The lack of understanding of financial abuse was seen as a societal challenge needing education:

‘So I think a lot of it is to do with, a massive issue would be to do with education of the population at large because the more people you educate to say this is wrong then it’s more likely that someone within a family would spot it, you know.’ (NSC 3)

This was particularly important in the context of research findings on financial literacy:

‘Ireland…and I didn’t realise this we have the lowest financial literacy in Europe.’ (BM 8)
BMs recognised that simply giving literature may not be sufficient in terms of ensuring people understand the required information:

‘I would get the sense intuitively that there isn’t enough of an education at the time of any customers opening their accounts we’re saying look once you get the card it’s now your responsibility, you know and it’s in the terms and like we hand out terms and conditions obviously but then that’s a booklet with ten pages on it and how many people actually read that I couldn’t tell you and then if you can read it do you understand it and what it means so there’s an education piece in the older community in particular which we’re working on, on a separate vein to try and educate them about the dangers of fraud not just on the internet but in banking in general.’ (BM 14)

‘So, for me what I would like to see happen is when somebody comes in and they say, ‘I want to add X or Y onto my account’ is to understand first of all why, you know? What is the reason behind it and then to see what other ways we can support without them giving over all of their […] accounts to this other person.’ (BM 9)

Having friendly environments was considered essential and education should particularly focus on on-line safety:

‘…education is the thing really, […] through the schools in particular, educating people with elderly parents or vulnerable family members around staying safe online and […] making our places here as welcoming as possible that people feel they can come in and get looked after.’ (BM 16)

5.7.4 Professional development of staff

The education of frontline bank staff was also identified as crucial:

‘I just think if there was more clarity and, again, we’re back to my point in relation to… like we know what some of the situations are for vulnerable customers and there are clear examples that have happened… the person whose neighbour took them in to the bank and got their money or you may have the eager family member who is trying to wangle their way into their ill auntie’s or ill mother’s financial situation. I think if there was more clarity in relation to frontline staff in the guiding, you know, and specific to situations that if there was clarity in relation to that, that would definitely assist frontline staff in assisting these customers…’ (BM 1)

This was particularly relevant for people new to the banking system:

‘…right I’ll be honest with you okay, because in terms of the organisation what you have is probably a lot of inexperienced people now, right. So that does take time to build up their capacity on that side of the house’ (BM 14)

Moreover, training needed to be regularly consolidated:

‘… I suppose the protocol around vulnerability, do we know it under that particular brand or are more managers just more inclined to bring it up as by the by. Maybe that could be more formalised right, that you know we have various different training sessions and I know that vulnerability will be covered in it but it’s probably something that should be on the agenda at least every quarter right.’ (BM 2)
This area was also observed within the narratives of the NSC:

‘I think actually yes that banks and all service providers, as part of the duty of care to the customer, can certainly help in making sure they’re aware and their staff are aware and their frontline staff are trained to identify and to know who to call, even if they can’t help the customer, that they can have somebody they can call to help the customer and that the frontline staff.’ (NSC 3)

Having response standardisation and additional clarity was suggested as a way of consolidating responses:

‘I suppose maybe instead of having your own personal stalling tactics... that there was a standard that if they came into this branch that they would be the exact same scenario if they walked in across [to another bank] and that’s...sometimes doesn’t happen so you would have people who would go into the branch in town to try something and it wouldn’t work but they come out to us as well and now sometimes if we knew like we might contact the managers or the sales and services managers in other branches and say ‘Look you know this person came in here or whatever, we’re concerned, perhaps they might try somewhere else so just you know exercise caution.’ (BM 8)

‘More clarity and I’m not saying I know what the answers are, but I definitely think more clarity. I know just from our own policy it seems to be very much ‘speak to your Line Manager’, but as a Line Manager, then it’s down to your own gut instinct, your own experience, your own opinion of it like and it, I just think there needs to, it needs to be a little bit A B and C. You do this and if that works, you know, if it doesn’t work, you do that. And I know it’s, maybe it can’t be, just because of the nature of the subject, but I don’t think in [another bank] we have enough direction.’ (BM 3)

‘Than just taking it out and put it in my own account and I’ll use it as I need it. Now, you see, there’s an innocent trustworthiness if you like that can go on there too, you know. But again, I would love to have some guidelines that said, you know, but something workable.’ (BM 20)

Having a training focus on guidance and protocols for complex situations such as navigating family discord was considered particularly helpful for new bank managers:

‘Yes, I would say disputes between siblings, where maybe one is power of attorney and one isn’t. If there was a protocol around that, that would be helpful. A protocol might be beneficial, a formal protocol around maybe certain red flags that we could watch out for. Now, I would say in general, there is the level of experience there for branch managers and for customer service managers to be able to spot that. But I would say for maybe newer managers coming in or people joining the organisation, it would be beneficial maybe to have that protocol listed out.’ (BM 4)

One BM stated that using the existing experiential knowledge of senior staff in financial abuse of vulnerable adults could lead to the development of common case scenarios and what should be done in terms of responses:

‘And maybe, well I mean if you can collect the stories you will definitely find that there’s probably 10 key scenarios that are the most common in every bank and if you’d even got a guideline on, as opposed to ‘go talk to your Branch Manager’ if you’d a guideline on what happens with each of them. (BM 3)
5.7.5 Supporting staff

Having dedicated supports was important for BMs to enable assistance in case responses:

‘I think the only way to do it, is by having a central unit in each bank that everything has to go through that unit.’ (BM 11)

‘So to know that like and to know ‘OK, what’s the next protocol?’ and maybe for us to have somebody within The Bank who is a liaison for all of that. That we all go through the same person, who’s going to build up a huge amount of experience and they’re liaising maybe with the HSE, that we’re not all liaising with the HSE, but yeah, I don’t think our paths are clear enough on that.’ (BM 3)

‘I think so [including guidance on referring and collaborating with the HSE safeguarding services]. I think what should happen from the bank perspective should be a bit like our money laundering structure. We have a structure whereby if we have a suspicious situation we have a reporting structure. We have [a] money laundering reporting officer in the bank centre, and their job is to […] take all this information. There’s a monitoring system really, really on the ball, it really does watch everything that moves. And then they make a judgement call. Do we escalate this to the Gardai? I think if we had a similar type scenario where we had a very vulnerable customer and we had a reporting line… We won’t make the call locally because it’s just too risky to be there, and we’re probably too close to it to make an objective call on it.’ (BM 6)

Within the context of the Central Bank of Ireland, it was acknowledged that some work had been undertaken in terms of guidance related to vulnerable adult, however, further developments were necessary in relation to areas such as joint banks accounts:

‘Now going back to 2011/2012, as you know, the Central Bank published its consumer protection code. And there’s an attempt there, I mean obviously submissions were made at the time that this clearly had to be identified as an issue so that when a person was opening the bank account, or if they had already opened a bank account and joining a name to it, that, you know, the questions would be asked and the person informed [of] the implications of what they were doing and that they understood that. But the code was not developed, it’s very minimalist in relation to that.’ (NSC 3)

5.7.6 Mandatory reporting

Some participants suggested mandatory reporting supported by legislation to safeguarding services of financial abuse could address the banks concerns of intervening and issues of data protection and this would reflect other activities banks are obliged to report:

‘100% [useful to have mandatory reporting for banks] because I think at the minute across the network we are so concerned about data protection and confidentiality and that is extremely important but I think it is to know when something, it is a crime or it is abuse that we too have an obligation to report that and to have that maybe built into our account opening process would highlight that more all of the time.’ (BM 9)

‘So I can definitely see the reasons for doing it [mandatory reporting] but I can see the reasons why people would be saying kind of data protection and issues and privacy issues. (BM 17)

‘We’re mandatory reporters of fraud and money laundering, so it will come in, I don’t see any harm in it coming in.’ (BM 18)
However, the support for mandatory reporting was not unanimous, with one NSC participant instead proposing a clear reporting policy underpinned by a legislative mandate to report to a regulatory body, who would investigate:

‘I don’t necessarily agree with mandatory reporting generally. What I do feel is that we do need very clear legislation setting out that every organisation has a responsibility to have a proper system of complaints and internal reporting. And then that there should be reporting like there is, for example, to HIQA or the mental health commission in some respects so that they can carry out the inspections if that’s required. But, at the first instance, there should be an internal system with an approach to how reasonable belief or abuse or whatever is dealt with internally. And people internally, even very young staff, should know the process of escalation and how that can be dealt with. Some financial institutions have that, others don’t’ (NSC 2).

5.7.7 Legislation and policy

The need to further address financial abuse of vulnerable adult in legislation and policy was observed. In particular, NSC participants suggested having an alignment of comprehensive legislation and policy was considered essential to address current silo approaches with agencies working independently rather than collaboratively:

‘But outside of that, obviously if a person is financially abused and they’re not availing of any service and they don’t need to avail of any service, at the same time that has a huge impact on their emotional wellbeing and their wellbeing generally which may impact that they need, you know, service at the end of the day. But we work in silos all the time, we don’t think of any crossovers or anything like that.’ (NSC 2)

This was in relation to ensuring that financial abuse was recognised as having consequences and not situated under the radar, particularly in the context of perpetrators who were next of kin or third party nominees:

‘…there is quite a lot of what I would see as a view that older or elder financial abuse, or abuse of vulnerable adults particularly intellectually disabled adults, that it is almost viewed as a victimless crime. And because of that people aren’t really shouting from the rooftops about it and it actually goes unseen and the difficulty being is that where the person is the next of kin, third parties on the outside looking in don’t feel that they are empowered to interfere.’ (NSC 1)

For example, although undue influence was an observation identified by both BMs and NSC participants, the legislative responses were absent:

‘We don’t have any offences of coercion or undue pressure or undue influence.’ (NSC 2)

The implications of the recent Assisted Decision Making Capacity Act (2015), which is yet to be phased in, was noted by some:

‘The 2015, the Assisted Decision Making Capacity Act will have those new offences for people… how [they] are being appointed or given authority to interact or to act on behalf of people.’ (NSC 3)
‘I suppose what the new legislation is about, is to put some kind of accountable legal framework around how to assist people.’ (NSC 4)

While some guidance was given in relation to vulnerable adult and financial abuse by the Central Bank, there was scope to tighten up guidance:

‘The bank itself, under guidance from the Central Bank, we have...customers are broken down into categories of vulnerability, and we kind of work off that as a guideline. It’s weak, you see, the problem with all these things is, and to an extent it’s probably good that there’s massive latitude there, in that the definition of vulnerability is an assessment by [...] whoever’s dealing with the customer at the time, and after that then, if you feel that this thing isn’t right, then you don’t proceed.’ (BM 7)

The Central Bank of Ireland was considered an important catalyst for lobbying for safeguarding legislation and the provision of a comprehensive code on financial abuse of vulnerable adult. This would enhance the individual banks responses to financial abuse:

‘The Central Bank has to have a code, a very clear code. They should be looking for very clear safeguarding legislation because the safeguarding legislation should put in a framework of how organisations deal with abuses and the reporting arrangements at various levels, when does it become has it to be escalated outside to an independent body and whatever. ...And individual banks themselves they all work, you know, in their own ways but they can be hugely helped by that very robust code for consumers which is not there at the moment and the Central Bank should start with that.’ (NSC 5)

5.7.8 Inter-sectorial collaboration

Participants, particularly those in the NSC recognised the advantages of inter-sectorial approaches to combatting suspected financial abuse of vulnerable adult:

‘Yes, absolutely [inter-sectorial approaches] yes I think that’s what we need to have is both either the medical route [if concerns about capacity] or the legal route you know either I think sometimes perhaps the medical route is what is required.’ (BM 8)

‘I think in a situation like that where there should be certainly some pathway to the banks whereby nominated individuals can actually contact the bank and say this person, this account number, there is a risk issue around the monies which we’re currently investigating and we want you to shut that account down for expenditure.’ (NSC 2)

‘I view the department of social protection as being a critical player in this process to ensure patients and service users monies are minded and used only for their direct benefit.’ (NSC 2)

5.8 Conclusion

This chapter has presented the themes within the narratives of the twenty-five participants in the study. Financial abuse of vulnerable adult has been identified as a complex phenomenon which has been experienced by all participants. Defining financial abuse of vulnerable adult has demonstrated understandings associated with personal characteristics as well transient life experiences of people. All the participants provided accounts of cases of financial abuse, which
had unique circumstances and complex factors which required careful and reflective responses. These responses demonstrated reflective diligence to further investigate and take appropriate action to safeguard the vulnerable adult. While many responses pointed to ensuring the vulnerable adult was empowered to make informed decisions and their finances were used for their authentic will and preferences, the participants identified additional areas where enhancements could be made in relation to prevention and intervention of financial abuse of vulnerable adults, which are discussed in Chapter 6.
6 Chapter Six: Discussion

6.4 Introduction

Financial abuse of vulnerable adults is a significant issue in global societies and has devastating consequences which transcend the loss of money to include depression, anxiety and humiliation (Cross, 2012). Making financial decisions is one of the most important real world domains for individuals (Hershey et al., 2015), thus highlighting their crucial impact on the person’s well-being. This study examined front line and customer-facing banking staff and members of the NSC’s understandings of what constitutes a vulnerable adult, what types of cases have emerged related to vulnerable adults in the banking sector, what responses have been deployed and how practices may be enhanced to further safeguard the finances of vulnerable adults. As stated in the literature review earlier in this report, the majority of research pertaining to financial abuse of vulnerable adult has been undertaken in relation to elder abuse. This concurs with the experience of interviewing the participants in this study, who spoke of cases of elder financial abuse with more frequency than adults below 65 years living with intellectual disability, physical disability, traumatic brain injury, or mental health challenges. A main finding in this study was that it was clear that, echoing research in the UK (Cairns et al., 2011), safeguarding vulnerable customers’ finances was an important concern for Irish banks. This was evidenced by the careful diligence in raising an index of suspicion in the survey data related to the case scenarios and also within the case accounts and reflections of banks managers. Equally, the banks focus on the delivery of training and education was articulated as well as innovative work in relation to counteract fraud and scams (BPFI Correspondence, 2017).

Similar to other research (Acerino et al., 2010; Black, 2012; Fealy et al., 2012; Age Action, 2014), the qualitative findings of this study identify the multiple types and perpetrations of financial abuse of vulnerable adults. It was recognised that there were specific responsibilities of banks in relation to their due diligence to a ‘vulnerable customer’ and that this was identified in the Consumer Protection Code (Central Bank of Ireland, 2012). This code points to ensuring financial protection for customers in financial institutions. Entities such as the Central Bank of Ireland provide an important monitoring and guidance function related to vulnerable adult protection (Chandaria, 2011; Peisah et al., 2016; Canadian Foundation for Advancement of Investor Rights & Canadian Centre for Elder Law, 2017). In reviewing the context of similar regulatory authorities in other countries, such guidance needs further development of bespoke policy in line with legislative reform which can tangibly impact front line practice in financial institutions. In this context, lessons can be drawn from experiences in other jurisdictions, For
example, in Singapore, there have been guidelines in banks for people with capacity challenges since 2011 (Peisah et al., 2016), while a recent study in Canada has made important recommendations to enhance safeguarding of vulnerable adults finances (Canadian Foundation for Advancement of Investor Rights & Canadian Centre for Elder Law, 2017).

**Vulnerability**

The participants spoke of vulnerability as a complex entity, which could be associated with personal circumstances or life experience such as bereavement. The term ‘vulnerable’ has been contested in recent years as the concept of risk is considered more representative and non-stereotypical (Dalley et al., 2017a; Canadian Foundation for Advancement of Investor Rights & Canadian Centre for Elder Law, 2017), however, the term vulnerable is used in various Irish policies (Central Bank of Ireland, 2012; HSE, 2014). Participants’ understandings also focused on the importance of customers understanding the meaning of requested banking actions. For example, some BMs observed that they would classify people who did not speak English as vulnerable, unless they were assured that an accurate translation was being made. Similar observations were made in the context of the duty of care related to language barriers with patients in the healthcare sector (Hudelson & Vilpert, 2009) and service provision was found to be compromised unless full understanding and informed decision making was assured using trained interpreters.

There was a unanimous recognition that stereotypical ‘status’ understandings were inappropriate (i.e. old age, people with intellectual disability), which emphasise personal attributes rather than a social vulnerability perspective. This mirrors conceptualisations in Irish safeguarding policy (HSE, 2014) and within other jurisdictions, such as within Northern Ireland, where an adult at risk of harm is defined as ‘a person aged over 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their a) personal circumstances and/or b) life circumstances’ (DHSSPS & DoJ, 2015:10). An adult in need of protection is defined as having the same a) and b) criteria as an adult at risk of harm but also is c) ‘unable to protect their own well-being, property, assets, rights or other interests and where the action or inaction of another person or persons is causing, or is likely to causes him/her to be harmed’ (DHSSPS & DoJ, 2015:10). However, within the context of the case descriptions in this study, the majority of experiences reflected vulnerable adults who were aged over 65 years, those who had capacity challenges or those who found it difficult to identify suspicious financial transactions. Thus, age is a risk factor rather than a determinant of susceptibility to financial abuse, which concurs with Lacks and Han (2015), who point to age related financial vulnerability
being linked to cognitive/emotional factors, medical and functional factors, psychosocial factors and/environmental/societal factors. Equally, work undertaken by Castle and colleagues (2012) identified that deterioration due to ageing in the anterior insula in the brain, which controls perception of dubious people or activities, can lower awareness to deception.

A suspicion of financial abuse of vulnerable adults is not uncommon either in the domains of healthcare or within financial institutions. In a pilot of the Older Adult Financial Exploitation Measure (Conrad et al., 2010) by HSE safeguarding service in Ireland (Phelan et al., 2014), a suspicion of financial abuse was identified in 40.4% of the older service users. Equally, in this current study, more than half (66.5%) of the survey respondents identified that they had experienced having a suspicion of financial abuse of a vulnerable adult within their banking practice. This is higher than a previous study undertaken with Ulster Bank staff in 2014 (Age Action 2014). While this represents a significant figure, it is likely that such figures represent an underestimation as much abuse occurs under the radar of formal identification (Lifespan of Greater Rochester Inc et al., 2011; Lemick, 2016; Wood & Lichtenberg, 2017). The survey responses indicate that branch/bank management staff and those with eleven years or more professional banking experience are more likely to have encountered a customer who they suspected was being financially abused. This may be attributed to length of time in service and therefore more exposure to vulnerable customers and may also be understood as indicating the value of life experience in developing the knowledge and intuition necessary for detection.

The participants in this study, through their experiential accounts, described a range of cases where financial abuse was suspected in the financial affairs of vulnerable adults. The wide range of methods of perpetrating financial abuse is noted in policy and within other similar research (HSE, 2014; Gilhooly et al., 2013; Gilhooly et al., 2016). Brown (2003) identifies that financial abuse may be due to various motivations such as malicious reasons, opportunistic occasions, misplaced moral justification, neglect or incompetence. There is also some debate on whether abuse by strangers is under the rubric of financial abuse (Bonnie & Wallace, 2003; Jackson, 2015). However, in this study, understandings of financial abuse of vulnerable adults were related to the act of financial exploitation rather than any particular relationship with the perpetrator. Davies et al. (2011) undertook response analysis to case scenarios describing vulnerable adults in potentially abusive situations. These scenarios were adapted and utilised in this current study and administered through the survey. Davis et al. (2011) found that three factors had the greatest influence on judgements of certainty of abuse and the likelihood of taking actions: the nature of the financial problem, the characteristics of the person who was in charge of the money and the vulnerable adult’s mental capacity. However, a key finding from
this current study found that length of respondents’ professional banking experience was the most significant factor which influenced their recognition and responses to the abusive scenarios.

The diversity of case examples also reflect the typologies identified in the extant literature and involved opportunistic financial abuse by both strangers and individuals known to the vulnerable adult. Cases described by all participants recognised the added complexity when the vulnerable adult had capacity challenges. In particular, the BMs were familiar with the scams in operation, such as sweetheart, doorstep and lottery scams, which Conrad et al. (2011) identify as potentially the most detrimental to the person. Age UK (2015) note that social isolation may increase risk to scams related to older people and published serious case reviews in the UK based on adults with an intellectual disability highlight the need for the vulnerable adult’s social acceptance as a risk factor in financial exploitation (Flynn, 2007). Thus, abusive activities may be tolerated to sustain the social relationship. In addition the opportunistic trawling by predators, such as in the context of MMF, is likened to grooming the vulnerable adult (Age UK, 2015). This is typified by requests for sums of money to be continually handed over as the vulnerable adult’s funds become more depleted. Yet, there is an irrational trust in the legitimacy of the money transfer and the ultimate ‘promised’ financial gain (Tueth, 2000). In the UK, the role of financial institutions and their potential to respond to scams has been highlighted (FCA, 2016; NCPQSWPP et al., 2017) and participants in this study noted the need for increased public awareness.

Within the semi-structured interviews, the participants also noted the changing ways of perpetrating financial abuse of vulnerable adults, which is becoming more sophisticated with the use of technology. Social engineering via tricking a person to do something not in their interest (Interpol, 2018) was discussed. Examples include phishing (where scammers attempt to obtain sensitive information usually by e-contact), vishing (contact made via telephone call) and smishing (Via SMS text). Again, raising public awareness regarding such methods of financial deceptions was considered fundamental.

Case examples also include financial abuse of vulnerable adult by known persons, usually family members. This concurs with perpetrator types identified in the 2010 Irish study on elder abuse, which included financial abuse (Naughton et al., 2010) and recent statistics on perpetrators from both the NHS (NHS Digital, 2017) and the HSE (2017). Methods used by perpetrators could include the abuse of chequebooks (although it was noted that this was in decline) but the most common cases involved the vulnerable adult giving a known person their PIN number. It was discussed that this often occurred for convenience sake where a vulnerable
adult was unable to use the ATM or someone was engaging in transactions on their behalf, such as shopping and paying bills. The bank managers saw this as a particular concern as this was contrary to the banking card’s terms and conditions and any money that is withdrawn in this way is the responsibility of the cardholder (Pathak, 2015).

A related issue identified by the participants in this study was the presence of trust of the vulnerable adult in the known person which Tueth (2000) observed could be irrational. Kemp et al. (2005) identified that this could be generated through the pre-existing relationship over time. In this study, case accounts also identified financial abuse by a family member being perpetuated due to a dependency (physical, cognitive or social) of the vulnerable adult on that perpetrator, echoing Wilber and Reynolds’ (1997) conceptualisation of financial abuse. Equally, the need to sustain relationships could translate to undue influence being placed on the vulnerable adult who can reluctantly parted with their finances, particularly if cognitive decline is present (Pesiah et al., 2016). The BMs spoke of their experiences of cases where undue influence was a factor and this has been noted as in other studies (Kemp & Mosqueda, 2005; Wilbur & Reynolds, 1997; Browne, 2018).

The construction of the family as an altruistic social unit also poses a challenge as vulnerable adults may not wish to pursue a crime due to theft due to sustaining the family integrity (Age UK, 2015). Another reason is the lack of sufficient evidential proof to sustain a criminal conviction (Dalley et al., 2017b). There may be a conflict of interest, particularly in difficult economic times, between the family and the vulnerable adult related to financial management (McCawley et al., 2006). In some of the narratives in this study, the vulnerable adults experienced shock when they discovered who the perpetrator was and subsequently did not want to legally pursue their relative. This exacerbates the taboo nature of financial abuse and without appropriate retribution perpetrators experience little reprimand. The obscuring of financial abuse as a crime or even an unjust activity could be related to the culture of entitlement. A common perception by children is an entitlement to the parents’ assets, due to inheritance rights, kinship ties, that the older person can simply afford to lose/give away the money or property or that the older person simply doesn’t need the money (Tilse et al., 2005a, 2005b, King et al., 2011, O’Brien et al., 2011, Conrad et al., 2011). Thus, the older person’s assets may be considered to ‘belong’ or part of inheritance to the child/relative and any awareness of actual financial abuse by the perpetrator (and often by the older person) may be minimised or rendered invisible. Such entitlement extended to after the vulnerable adult’s death as family members could attempt to claim finances prior to probate. This points to the necessity of changing societal culture to remove the assumption of financial entitlement in kinship relationships.
Capacity

The issue of capacity was raised by a number of participants both within their experiential case accounts and within the context of delivering due diligence to the vulnerable adult. Capacity could include the physical and cognitive ability to engage in the management of finances. If capacity is challenged, susceptibility to financial abuse is increased and it is more likely that a substitute decision maker is put in place often with legal authority (McCawley et al., 2006; Pesiah et al., 2016; Canadian Foundation for Advancement of Investor Rights & Canadian Centre for Elder Law, 2017). However, one member of the NSC suggested the Power of Attorney arrangements required more robust monitoring to ensure the original conditions are being met over time. Capacity challenges in relation to understanding financial decisions were identified by the participants and the need for heightened awareness within financial institutions of such issues has been noted (Peisah et al., 2016). In relation to financial capacity, it is recognised that this represents an aspect of the brain’s higher executive functioning and deteriorates early in cognitive decline processes (Gardiner et al., 2015). Consequently, as capacity diminishes, risk of financial abuse increases (Marson, 2013; Manthorpe, 2015) and so does the person’s ability to recognize financial abuse. In this context, using a validated tool to assess financial capacity is useful (Martin et al., 2008; Marson et al., 2009). This should be incorporated into health assessments of vulnerable adults so that when challenges present, early and proactive prevention and intervention can occur.

One of the driving forces of capacity issues has been a discourse on human rights (Brammer, 2015) and this has been fundamental in the recent Assisted Decision Making Capacity Act (ADMCA) (2015), which has yet to be fully implemented in Ireland. The implementation of comprehensive capacity legislation is central to safeguarding vulnerable adults (Manthorpe et al., 2009; Manthorpe et al., 2012) and is also advocated in recommendations from the Council of Europe (2009; 2014). In this regard, the ADMCA will replace the archaic Lunacy Regulation Act (1871) and support a functional approach to capacity. This means that individuals are assumed to have capacity unless otherwise demonstrated and that decisions are time and issue related and must be demonstrated to be aligned with the will, preference, values and beliefs of the person. In addition, Ireland’s own Constitution (Bunreacht na hEireann, 1937) specifically vindicates the rights of citizens, while the full ratification of the United Nations Convention on the Rights of People with Disabilities specifically provides for safeguards from undue influence as well as supporting and enabling the individual’s will and preference (UN, 2012). Equally, the progression of the Adult Safeguarding Bill, which proposes to establish a National Adult Safeguarding Authority will enhance legislative and societal response to protecting vulnerable
adults (Oireachtas 2017). Within this context, it will be imperative that all banking staff have an understanding of the impact of legislative reform and that the Central Bank of Ireland enhances guidance on vulnerable adults. The cascading of the legislation will be assisted through the guidance of the newly appointed Director of the Decision Making Service. This will require inter-sectorial collaboration to ensure standardization of banking policy at the macro level of the Central Bank of Ireland and the meso level of individual banks.

The responses to financial abuse of vulnerable adult drew on the experience of BMs. This involved careful reflection and the selection of suitable actions to address concerns. This reliance on experience was narrated in the qualitative interviews and was also supported by the survey findings which indicated that professional banking experience was a key variable mediating the responses to potentially abusive scenarios. Personal judgement and experience was also the most frequently cited source guiding the survey respondents’ responses to suspected financial abuse of a customer.

The identification of cues in financial abuse of vulnerable adult has been noted in the literature on professionals such as social workers (Davies et al., 2011) and banking staff and healthcare staff (Gilhooly et al., 2013). Gilhooly et al. (2013) identify a ‘Professional bystander intervention model’ which mirrors the intuitive and resulting actions of the BMs. The model has five stages: a) cues must be noticed, b) be interpreted as representing financial abuse c) the observer must assume personal responsibility for acting d) must feel able to act e) and then must do something. In the BMs accounts of suspicion of financial abuse of vulnerable adult, particular cues resulted in more definitive actions. For example, in cases of capacity challenges, unusually large cash withdrawals, lottery scams and a perception of undue influence, there was a high index of suspicion. Consequently, the BMs would try explore the situation more with the person themselves, to stall the events, demonstrate the reality of the scam or advise actions such as getting independent legal advice. Actions also included talking to another colleague to clarify actions, contacting head offices or legal departments for expert advice, or flagging the account. The use of vulnerable customer champions was seen as very useful and standardising this role in all banks would assist in developing specific expertise as a resource to frontline staff. BMs also indicated that they would share information within branches on new trends in financial abuse, for example, phishing, vishing or smishing. Despite taking such actions, the BMs were very aware of ensuring actions complied with data protection legislation and the Consumer Protection code (Central Bank of Ireland, 2012).

The BMs recognised that their banking experience had assisted in the development of intuition and that more junior staff members required support to appropriately respond to financial abuse.
of vulnerable adult. The journey of mentoring junior staff to develop proficiency and competency is noted in other professionals such as nurses (Benner, 1984) and teachers (Eaude, 2018), with continuous professional development and mentoring being central components to enhancing knowledge, competency and service delivery (Central Bank of Ireland, 2017). In the US, financial institutions have bespoke financial abuse training since 1995, while in 2007, the Australian Ombudsman’s provided 14 red flags to increase competency and assist banking staff’s recognition of financial abuse in 2007 (Peisah et al., 2016).

As such, education and training was considered fundamental for banking staff in the area of financial abuse of vulnerable adults. In reviewing the existing training and education in banks, it was evident that a significant effort had been made to improve staff’s competencies in safeguarding vulnerable adults from financial abuse. However, further enhancements could draw on global advancements in this area while incorporating the context of legislation and policy in Ireland (Harries et al., 2017). This finding was echoed in the analysis of the survey responses whereby 60% of the respondents cited training in financial abuse, vulnerable adults and fraud awareness as an important source of guidance when responding to suspicions of abuse. This was particularly important for those respondents from customer call centres who relatively more likely to rely on formal education and training than those working in other settings. One useful approach that could underpin training is the Professional bystander intervention model (Gilhooly et al., 2013) which uses anonymised, real case studies and web based training has also demonstrated success (Harries et al., 2016). Another useful resource to draw on is to enhance current dementia education within banks is Peisah et al.’s (2016) knowledge translation tool. This is specifically tailored to the banking environment to (a) enhance awareness of issues related to dementia (b) increase knowledge of financial capacity, decision-making and the nuances of financial abuse of people with capacity challenges and (c) identifying appropriate responses within banking systems. In addition, further expansion of bank staff’s knowledge of capacity and of the new legislation will be of particular importance.

All participants also pointed to the need to ensure public understanding of what constitutes financial abuse and also that individuals have a comprehensive understanding of the implications of opening different types of bank accounts, such as third party accounts and joint accounts. This concurs with one of the objectives of the NSC where the BPFI is an active member. However, careful consideration is required in areas such as joint checking accounts as Sabbatino (2011) noted there can be risks associated with this. These include the difficulty in identifying misspent funds, and the fact that debts incurred by the perpetrator can result in legal action against both account holders. In addition, typical joint accounts include the right to
survivorship, where after death, the remaining account signatory assumes ownership of the funds. One alternative is the third party account, which does not include survivorship rights and the person is placed in a position as agent of the adult at risk to use funds beneficially and according to the owner’s wishes. In particular, it was emphasised that customers need to understand the potential consequences of giving another person their PIN and that money withdrawn without consent is not covered in terms of refund under the banks’ terms and conditions. Equally, ensuring people are aware of having an oversight on their account was important so that any dubious withdrawals could be identified early and ameliorative action taken. As regards opportunistic scams, additional public awareness was necessary in areas such as not giving out personal bank details in the context of the manipulation inherent in social engineering scams, not responding to services from rogue traders, not sending money to fake lotteries and ensuring protection against social isolation which may lead to financial deception.

Some BMs pointed to the possible advantages of mandatory reporting, such as addressing concerns with data protection, although one member of the NSC cautioned against this instead suggesting more robust internal reporting. While many states in the US name banking officials as mandatory reporters, as early as 2003, Pratt noted some challenges in this regard. For example, banking report rates are often low and may be unrecorded. In addition, there can be confounding vulnerable adults such as different training policies between banks. However, mandatory reporting (Lemick, 2015) can be seen as providing early intervention and after the bank staff mandatory reporting law was introduced, in three years banks in California have reported more than 26,000 cases of financial abuse of elders to authorities (Abood et al., 2015). Such legislatively mandated reporting could assist in further illuminating the extent of the problem (Dalley et al., 2017a) and merits further consideration in the Irish environment.

While the BMs articulated responses to financial abuse, there is an absence of inter-sectorial approaches to financial abuse of vulnerable adults. The survey analysis found that cashiers and customer service/advisor staff were more likely to respond to a suspicion of abuse by consulting internally with colleagues. Branch management staff were more likely to monitor, consult externally and implement formal procedures in response to a suspicion of abuse. This finding can be attributed to the seniority of management who presumably have greater authority to act in response to suspected abuse. Consulting with external organisations was not a common response to a suspicion of abuse cited by the respondents. Only 18.5% of the respondents noted that they had consulted externally on suspecting a customer was experiencing financial abuse and management staff were statistically significantly more likely to do so relative to other job roles. While members of banks and banking representative organisations are on the National
Safeguarding Committee, Ireland does not have any responses that focus on a collaborative case management approach. Similar observations have been made in the UK (Dalley et al., 2017a; 2107b), yet, it is recognised that having inter-sector and inter-disciplinary responses can lead to significant financial saving for vulnerable adults. Collaborations could be focused on prevention and empowerment through money management programmes which are essential components of independent living (Elbogen et al., 2011) and an important element in independent budgeting (Moran et al., 2013). Partnerships from diverse disciplines allow specific areas of expertise to generate comprehensive investigations, responses and general case management (Reeves and Wysong, 2010). One example is the Financial Abuse Specialist Team (FAST) in California (Orange County), USA. This is a voluntary service which is comprised of diverse professionals such as adult protective services, law enforcement, legal representatives, financial planners and banking representatives. Each month, cases are reviewed and the varied disciplinary membership has the advantage of providing strategic plans to resolve financial abuse of older people (Allen, 2008). The FAST also provides specialist training for police and banking personnel. In Ireland, ensuring data protection is not transgressed. It is notable that data protection concerns were highlighted in the US related to sharing information in financial abuse case, however, a number of federal regulators stated that reporting suspicions of financial abuse does not violate American customer privacy laws (Consumer Financial Protection Bureau, 2016). In the Irish context, such a team could be drawn from diverse settings including staff from financial institutions, the Department of Social Protection, HSE Safeguarding staff, the Health Information and Quality Authority, accountants, nurses, geriatricians, advocacy groups, capacity experts from the Decision Support Service, legal representatives and Gardaí. This would enable a comprehensive, collaborative response which could incorporate information such as financial capacity assessment by physicians (Martin et al., 2008; Marson et al., 2009), appropriate legal actions, joint case investigations, health assessments and regulatory issues. In addition, such teams can explore enhancements to current policy and practice as well as developing case studies which track the impact of collaborative case responses, which would feed back into training and education. The integration of such an approach would be enhanced through the realisation of the Adult Safeguarding Bill (Oireachtas 2017) wherein guidance and the promotion of inter-sectorial collaboration would be enhanced.

Conclusion
Financial abuse of vulnerable adults is a significant challenge in society and requires a targeted and collaborative response (Phelan & McCarthy, 2016). Research has demonstrated the
significance of financial abuse in society (WHO 2011; Kirchheimer, 2013) and statistics from both the HSE (2017) and the NSC (2017) identify known cases. Yet its emergence and understanding of the issue has been slow (Hafemeister, 2003; Pillemer et al. 2015, Dalley et al., 2017b) and is complicated by diverse interpretations of financial abuse (Gilhooly et al., 2016) and the impact of issues such as culture (Phelan & McCarthy, 2016). Banks and other financial institutions have been identified as important sites of prevention of, identification of and intervention in financial abuse of vulnerable adults (Pratt, 2003; Age UK, 2015; Lemick, 2015; Lichtenburg, 2016; NCPQSWPP et al., 2017; Wells Fargo, 2018).

This study has identified that Irish experiences of financial abuse of vulnerable adult mirror those in other countries. While the study focuses on banks, there may be relevant points for other financial institutions in Ireland. It is recognised that significant efforts have been made to improve bank staff’s responses in safeguarding finances, such as education and training and initiatives to respond to bank fraud and scams. Equally, the careful deliberations and intuition of the bank managers in suspected cases of financial abuse demonstrate diligence, however, additional enhancement is required to comprehensively safeguard adults who may be at risk. The study points to the continued development of targeted responses in financial institutions and broader responses within society which are detailed in the recommendations.
Recommendations

Recommendations have a duel focus which concentrate on actions within the banks themselves and actions on the macro level of society. Equally, these recommendations may have further transferability to other financial institutions, such as An Post and Credit Unions.

Bank level responses

- **Inter-sectorial collaboration**: Inter-sectorial collaboration should focus on enabling an integrated response for prevention and intervention of financial abuse of vulnerable adults. This should involve multiple sectors and disciplines who provide comprehensive insights into issues of social vulnerability, health, social protection, law, police, accounting and banking activities. Referral paths should be clear and quality assured.

- **Education and training**: Further education and training is needed to ensure staff competencies in recognising and responding to suspected and actual cases of financial abuse of vulnerable adults. Other important areas should focus on population stereotyping (ageism, mental health, intellectual disability), capacity and related legislative implications (when implemented) and undue influence.

- **Vulnerable adult champion**: All financial service providers to consider creating and/or formalising a vulnerable adult champion role to all banks to provide a resource from local staff and to build up a body of knowledge on the complexities of financial abuse of vulnerable adults.

- **Ensure choice of banking**: Banks ensure that customers always have a choice of face to face banking.

- **Direct communication with the vulnerable adult**: Consider methods of connecting to people who are unable to attend the bank to ensure the person's will and preference is being championed. This includes enhanced communication strategies for people with communication difficulties.

- **Central Bank of Ireland**: The Central Bank of Ireland should provide enhanced guidance for banks for translation to individual, local policy. This guidance should ensure standardised, clear pathways for banks’ responses to suspected and actual financial abuse of vulnerable adults and enable methods of taking action which are regulatory sanctioned. Regular monitoring of legal arrangements, such as Power of Attorney and decision-making representatives should be contained in guidance. The Central Bank of Ireland should also consider the provision of a legal safe harbour for banks engaged in responses in good faith.
Macro-level responses

• **Public Awareness:** Significant public education is required on the topic of financial abuse, undue influence, and to counter the cultural perspective of entitlement. Raising public awareness also includes highlighting the implications of banking actions such as opening a joint account, the impact of the Assisted Decision Making Capacity Act and particularly the confidentiality of PINs and dangers of giving account access to a third party. Other foci include raising public awareness of opportunistic abuse via scams such as doorstep crime, sweetheart crimes, fake lotteries, viching, smishing and phising.

• **Raise profile as a crime:** Financial abuse is a crime. This should be recognised as such and the promotion of appropriate actions, such as legal redress, should be pursued.

• **Comprehensive Safeguarding Legislation:** The progression of proposed legislation for safeguarding with associated locally implemented integrated policy.

Limitations of the study

• The study only focuses on five main banking institutions in the Republic of Ireland. Experiences of other financial institutions, such as Post Office Accounts and Credit Unions may differ.

• The unit of data was at the individual bank level. Perspectives of legal and fraud sections may have offered additional insights.

• This study considered the perspectives of banking staff and members of the NSC. Perspectives of vulnerable adults, advocacy groups and regulatory authorities may provide alternative and/or additional perspectives.

• Customer facing staff were targeted for the survey however, less than 9% of the respondents came from customer call centres therefore limited claim to representativeness for this cohort of the overall population.

• Under-sampling from one of the targeted financial institutions which had a lower response rate than the other banks. This was addressed through the use of post-stratification weights but may compromise the claims to representativeness for this institution.
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