

Love Isn't Always On line

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We just want to be connected

- In an age of connectivity and a wider range of community support systems
- More people with learning disabilities, and who have Acquired Brain Injuries have access to the internet, at home or by smart phone and other smart devices.
- The systems we use to keep people safe or stay connected can just as easily be as much a force for exploitation and risk as they are for safety



Smart freedom or deprivation of liberty ?

- With technology constantly providing more freedoms
- It is also providing more ways to abuse and restrict peoples rights and liberties in often more subtle ways than ever before.
- Our legal system has many useful safeguards but it is often in itself a delicate balancing act between human rights and the responsibilities of the states Duty of Care

Figure 29: Voice-Enabled Smart Speakers



Source: Amazon, Google



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So what's this got to do with Sex & relationships?

- Putting it simply Technology is now both the access point to people developing relationships
- It can also be a point of control and monitoring and this is the focus of todays talk.
- Todays social & health care professional is now not only having to be wise to the law but the wider world of technology and social media



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Love is just an App away

- How many of these are you aware of?
- These are just the most popular



On line Gaming

- It isn't just dating apps that you should be wary of
- About 31 million people play games on line many of these games have chat rooms where people can be exploited.
- There are controls that can be put in place to access games appropriately but not the chat rooms.



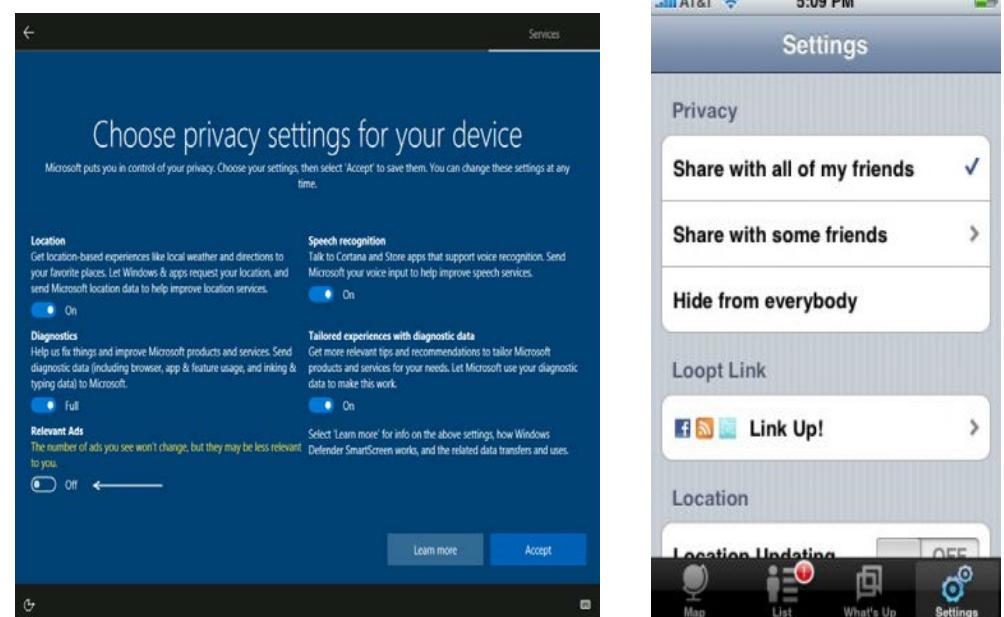
What are the key risks and concerns

- Understanding Age Related Privacy Controls and settings
- Location Trackers
- Sexploitation
- Financial extortion
- Sexual & physical abuse following on line grooming
- Deprivation of liberty & rights in relation to perceived risks



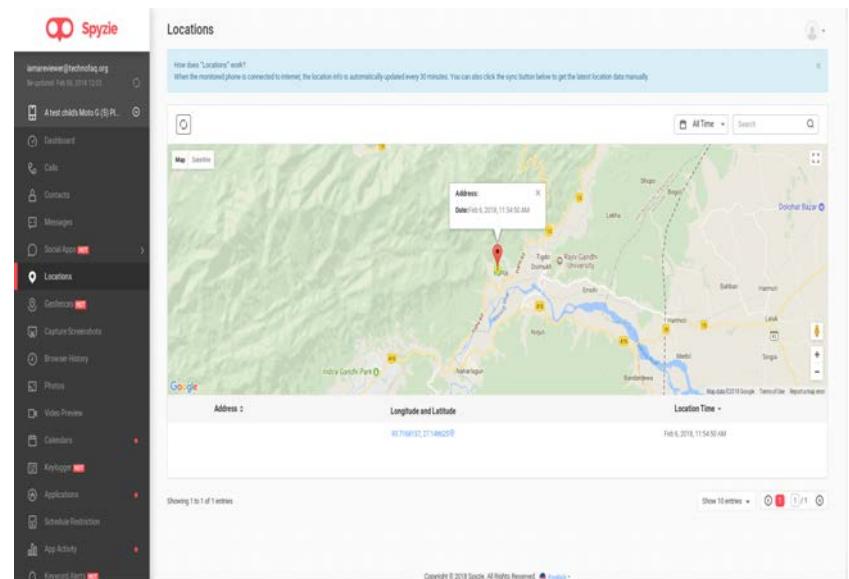
Privacy & Control Settings Keeping Safe on Line

- There are some basics that can make a big difference
- All apps & PC's ask for Personal data this includes Email Phone and sometimes address. If the user is consenting to the use the app this must be provided sometimes in the T&C's
- Ensure that the option to share on line or with third parties is turned off.
- If it is to be shared who should it be shared with are your friends real?
- Is this information to be shared across Platforms remember Facebook also owns Instagram, Messenger, and music apps



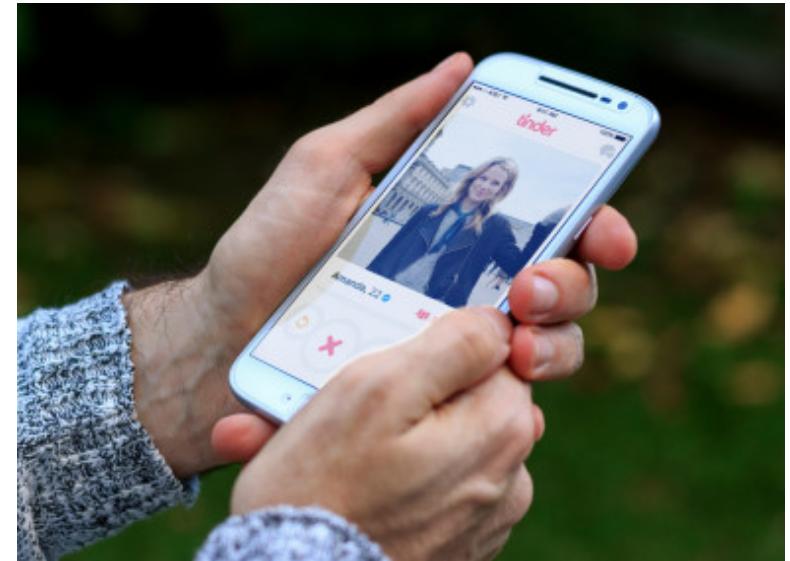
Location trackers

- Most PC's and Mobile phones have location trackers
- Some are more accurate than others however many smart phones, iPads, tablets and PC's still track your device even when the app(i.e Snapchat) which has a very accurate real time tracker control is off.
- Great for monitoring children but a potential breach of right to private & family Life in an adult
- However at worse it could be a stalking/grooming tool in the wrong hands



Sexploitation

- Often as a result of grooming children & young people, vulnerable adults may be requested to send explicit photographs of themselves to their “friend”
- This is often followed by requests for money often in Bitcoin or other financial requests to the Sender this can be distressing and has resulted in some people taking their own lives, or being discreetly financially abused over a period of time





Case Study 1 Vincent

- Vincent 27 has moderate Learning difficulties was supported part time by three personal assistants who support him with medication, appointments and some day to day support.
- One of the PA's supported Vincent with developing his on line profile on snapchat and using a false profile and picture befriended him away from the workplace. As Vincent was easily convinced that this false profile was a woman of similar age who lived locally he gradually became infatuated and was groomed. He was asked to share increasingly more explicit photos on the platform knowing that they only had limited appearance time he was later asked to share another photo on another link which stores the photo permanently.
- Later the PA began using the false profile asking him for small amounts of money in return for not sharing his photo with his family. It was only the smart thinking of another PA who was helping Vincent with his finances questioning some unknown withdrawals that uncovered the scam. The abusing PA was recently sentenced to 14 years.





Sexploitation 2

- It is not just blackmail that can occur. Even reputable dating sites that may be free to set up, charge a monthly fee for membership such as Match.com, Tinder, Grindr etc they often use automatic messaging to get people to think they have made a match and can only read messages by accessing the premium membership which unless stopped will automatically renew.
- Often even these sites have many false profiles linked to adult personal services or more exploitative links.
- If you are lonely it would seem you are fair game to exploit and for somebody on benefits or low income £10 to £20 a month can be expensive some sites charge extra to reply to messages on top of the monthly fee.





Financial Extortion

- Vincent's Case study illustrates just one way in which people are vulnerable to exploitation.
- Another way is just old Fashioned financial extortion
- These are usually overseas dating sites using fake profiles and then a swap to a messenger, what's app relationship where the Friend starts to have financial problems and asks the vulnerable party for assistance usually it's a family member who is sick and they cannot afford the health care or they need money for a flight to visit the person its then sent but the person never arrives but gives further excuses often preying on lonely people victims of such scams have lost thousands of pounds.





Case Study 2 Eddie

- Eddie is 45 years old he has an acquired brain injury but is deemed to have capacity although as part of his long term support he is managed through a case manager appointed by Solicitors in the settlement of his accident.
- Eddie is originally from the Philippines and signed up for a Filipino bride site as he wanted to get married, he befriended Carlene on line and moved to a relationship on Skype as she seemed to be like her picture, and appeared genuine he did not feel any worries about her credibility, it was only after repeated transactions involving several thousand pounds that the scam was uncovered by the financial deputy following a periodic review.
- Eddie still does not have a girlfriend.

Sexual and Physical Abuse following Grooming

- We have discussed the role of false profiles and it does not take a genius to see where the next steps could lead and the dangers for vulnerable people in meeting on line predators.
- There are some simple steps that can be taken to check on line profiles
 - 1. Does the person have a profile elsewhere?
 - 2. Most genuine people with an online presence exist on more than one site outside of the dating type app.
 - 3. For example Linked in, Facebook etc does the profile match up, is it the same?
 - 4. If it doesn't exist, that should ring alarm bells.
 - 5. If the client is going to meet up with someone, what safeguards are legally possible without infringing rights of the individual?

Case study 3 Michael

- Michael is a 33 year old gay man with moderate learning difficulties he has arranged to meet a group of men on Grindr for S&M sex in London overnight.
- He lives in Leeds this will involve going on the train staying away from home. He has informed his PA who informed her Line manager.

How we kept Michael Safe

1. Michael agreed to take his phone and ring on arrival in London
2. Michael agreed to have a safe word to use if he was frightened or needed assistance
3. PA & Michael checked profiles elsewhere prior to the meet and they existed beyond Grindr Site
4. Michael was able to provide an address and consented to use a tracker on his phone



The Legal Balancing Act

- Mental Capacity Act 2005
- Human Rights Act 1998
- Deprivation of liberty safeguards
- Equality Act 2010
- Duty of Care /Act of Omission Health and social care Act 2014
- Health & safety of Individual
- Health and safety of others



wiseGEEK



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Mental Capacity Considerations

- Ensuring you have a wide MCA decision making team
- Understanding of genuine barriers to capacity in people with ABI & mild and moderate LD. Particularly those with Temporal Lobe damage affecting planning and understanding of consequences.
- Is there a history of unwise decisions in the same area of risk



Mental Capacity Act 2005

CHAPTER 9



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Human Rights Act 1998

- Always use the least restrictive practice in decisions
- Consent is obtained to any agreed restrictions particularly around liberty and private life.
- As with Capacity it's a conversation not an unnecessarily Bureaucratic process as Michaels case demonstrates



Equality Act 2010

- **Its not about you** or what your feelings about relationships might be due to cultural influences, religious practice.
- **It is about** upholding rights and working in the best interest of the individual whilst keeping them safe as possible and being able to account for your decision



Duty of care/ Act of Omission

- Have you upheld your clients rights?
- Have you involved them in the decisions?
- Have you explored capacity and followed best practice in best interest decision making?
- Have you found the least restrictive solutions?
- Can you justify your actions and processes?



Health & safety

- Health & safety is **not a restriction**
It is about risk reduction
- It is upholding the right to life
- Ensuring that someone is protected from inhumane treatment and torture
- Allows someone to participate in a private and family life
- Allows the person to feel safe with their decisions and choices



Useful Resources

- <https://www.saferinternet.org.uk/blog/supporting-vulnerable-groups-online>
- <https://www.saferinternet.org.uk/advice-centre/social-media-guides>
- <https://www.peoplefirstinfo.org.uk/staying-safe/staying-safe-on-line/>



QUESTIONS



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