

Are You Dating?

Older Adults
and Healthy
Relationships



Public Legal Education
and Information Service
of New Brunswick

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This booklet does not contain a complete statement of the law in the area and changes in the law may occur from time to time. Anyone needing specific advice on his or her own legal position should consult a lawyer.

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Introduction

Dating should be a fun experience at any age. It is a great way to meet new people, find someone to do things with and make some great memories. There are many resources about dating for teens and young adults, however there is little information geared to older adults. Some questions about dating are the same for everyone, regardless of age such as how to recognize and keep abuse out of the relationship. Older adults may also have other concerns.

Did you know?

Many older adults are concerned about violence or abuse at the hands of a stranger. They worry about being robbed or home invasion. Very few seniors are harmed in this way. Most violence and abuse of older adults is by a loved one. Research studies show that older women and men are more likely to be physically abused by their spouse, common-law partner or significant other rather than by a stranger.



Tips for Staying Safe

There are many ways to meet that special someone such as through friends, social events, or a blind date. Another popular way is through Internet dating sites and chatrooms. If you do not know the person you plan to date, be cautious about how much information you give out and where and when you meet him or her.

How can I protect myself when I go out with someone?

Here are a few tips on how to be safe when you start to date, especially someone that you do not already know.

- 1 Take time to get to know each other.** Get to know your friend better. Ask lots of questions. If the other person won't answer all your questions, he or she may be trying to hide something.
- 2 Arrange to meet in a public place.** For your first meeting, arrange to meet your date at a public place where there will be other people close by, such as a restaurant, a social club or a cafe. Ask your date to join you on an outing with a group of people or go out with another couple or trusted friend. Be careful about inviting someone to meet you at your house. If things don't work out, you may not want that person to know where you live.
- 3 Use your own transportation.** Arrange your own transportation to get to the date and don't offer to pick up the other person.
- 4 Be cautious if you are drinking.** Alcohol can affect your judgment and lessen your inhibitions. Be alert as possible on a first date with someone you have never met. Also, never leave your drink unattended.
- 5 Listen to your instincts.** If something does not feel right, it probably is not. Call a friend or a family member and leave as soon as possible.

6 Always let someone know where you are going.

Tell someone where you are going and who you'll be with. Check in with friends or family after the date.

7 Give your date your cell phone number. Until you get to know the person better, do not give out your address or any information which would help someone find you. If you want your date to call you again, be safe and use your cell phone number. People can find where you live from your home phone number.

What should I know about safety when using chatrooms or an Internet dating service?

There are dozens of Internet dating sites to choose from so ask some friends or family members about their experiences with such sites. Find out if the website has a strict privacy policy posted. Be sure the people you chat with cannot find out your name or where you live.

When creating your profile, do not use your real name or give your address, workplace, phone number, or any other information that could identify you. Be cautious about providing information on your hobbies, interests and your hometown as it could reveal your identity. Some people include a photograph, but many do not share a photo until they find someone they want to meet.

Consider taking a computer course to learn more about the "do's" and "don'ts" of using the Internet. To find a course near you, contact your local **Access Centre** or **Adult Learning Network**. For more information, call 1-877-444-0510.

Being in a Healthy Relationship

Healthy relationships are built on love, respect, caring and happiness. The signs of a healthy and loving relationship include:

- Being valued and respected for who you are
- Being treated as an equal
- Being able to talk about your feelings without fear of your partner making fun of you or putting you down
- Feeling free to express disappointment and concerns
- Being mutually supportive of one another
- Taking responsibility for your own actions
- Not blaming the other person when things go wrong
- Feeling good about yourself and your relationship

If you are sexually active, you should know how to protect yourself from sexually transmitted infections (STI). For more information about STIs, go to Health Canada's website (www.hc-sc.gc.ca) and use the search term "seniors STI".



Keeping Abuse Out of Your New Relationship

You should feel happy and secure when you are in a dating relationship. If the person you are seeing is controlling, pushy or critical of you, it may make you feel uncomfortable, nervous and unhappy. If you feel like this, then you may be getting into an abusive relationship.

Take this quiz and see what it tells you.

When you are starting a new relationship, it is important to recognize the signs of an unhealthy and hurtful situation.



Abuse Prevention Quiz

Does Your Dating Partner....

Yes No

Get jealous when you are around other people? Y N

Make fun of you in front of friends and family? Y N

Destroy or threaten to destroy your things? Y N

Make you choose between staying in the relationship and spending time with your family/friends? Y N

Put you down, call you names, say you are stupid? Y N

Threaten to commit suicide if you end the relationship? Y N

Yes No

Get mad at you, damage your property or hurt your pet? Y N

Blame you for everything that goes wrong? Y N

Slap you or push you around? Y N

Try to force you to have unwanted sex? Y N

Try to take control of your money? Y N

This is not a complete list of all the signs of an unhealthy relationship. For more information about physical, sexual, financial and emotional abuse, check out PLEIS-NB's other publications on these topics at www.legal-info-legale.nb.ca.

I answered YES to some of these questions. What does it mean?

If you answered yes to some questions, you may be getting into an abusive relationship. Even if your friend apologizes for the abuse, this is often part of the "cycle of violence". Abuse rarely stops. It happens over and over and it usually gets worse. People may try to make excuses for the behaviour, but there is no excuse for abuse.

Maybe I should try harder and we would be happy?

Many people blame themselves for "upsetting" their partner. But if your special friend acts mean and controlling, **IT IS NOT YOUR FAULT**. You should not have to walk on egg shells to keep somebody else happy.

Long Term Dating Relationships – Legal Considerations

Whether you have been dating for many years or you have decided to move in together, you may both have questions and concerns about how this might affect your legal rights and responsibilities. Here are some common questions about property and support obligations.

We have been seeing each other for a long time; does this mean my friend has a right to my property or money?

Just because you have been dating a long time, does not mean your partner has a right to your property and assets or an obligation to support you. If you plan to move in together, you should talk to a lawyer about how this might change your situation.

If we decide to live together, will our rights change?

Not necessarily. When a couple lives together it is called a common-law relationship. Living together is not the same as being legally married. You will not have an automatic right to half of one another's property. However, if you live together for three years or more and depend on the other person for support, he or she may have a legal duty to support you if the relationship ends. You should get legal advice about your rights.

How can I protect my property? I want to be sure I will continue to control my property and assets.

The best way to protect your property interests is to see a lawyer and enter into a domestic contract with your partner. This is a written agreement between you and your partner. It is called a cohabitation agreement. It sets out your rights and responsibilities to each other such as who owns the property, how property will be divided if you separate, and support obligations. You should each talk to a different lawyer. Your lawyer will explain how your agreement will affect your rights and responsibilities.

If we live together, will I be responsible for my partner's debts?

You are not responsible for the debts of your common-law partner unless you have co-signed a loan for them or you have signed a contract agreeing to pay for them. However, if you later separate and your partner applies to the Court for a division of property and debts, the Court may order you to contribute based on your specific situation. Unlike a legally married couple who separates, the division of property and debts is not an automatic right.

What happens if we buy things together?

If you and your partner buy something together, such as furniture or a car, you both own it. Make sure you keep proof of payments (such as receipts) and indicate who paid for the item.

Will I need to change or update my will?

It depends on whether you wish to leave anything to your partner in your will. If you want your partner to have something when you die, you will need to update your will as soon as possible by contacting your lawyer. However, if you do not want to leave anything to your partner, then you do not have to change your will. However, you may have a legal duty to support certain people, such as a common-law partner, if they depended on you for support. If you do not adequately provide for them or include them in your will, your partner may apply to the court for some financial support from your estate under the *Provisions for Dependents Act*.



Getting Help if Things go Wrong

Many people are ashamed to speak out or ask for help if a partner is hurting them. They may think that no one will take the abuse seriously because it is happening in a relationship. All abuse is wrong and completely unacceptable! Some forms of abuse that happen in a relationship may also be offences under the **Criminal Code**. A few examples include:

- Assaults - of all forms including attempts and threats to assault
- Sexual assaults - of all forms including attempts and threats to assault [Remember, no one has the right to force another person to have sex – not even a spouse, partner or somebody you are dating.]
- Uttering threats
- Criminal harassment; i.e., stalking
- Intimidation
- Breach of a court order such as an undertaking, a peace bond, a probation order or other court orders

The police can arrest and charge a person who does any of these things.

Reach out for help!

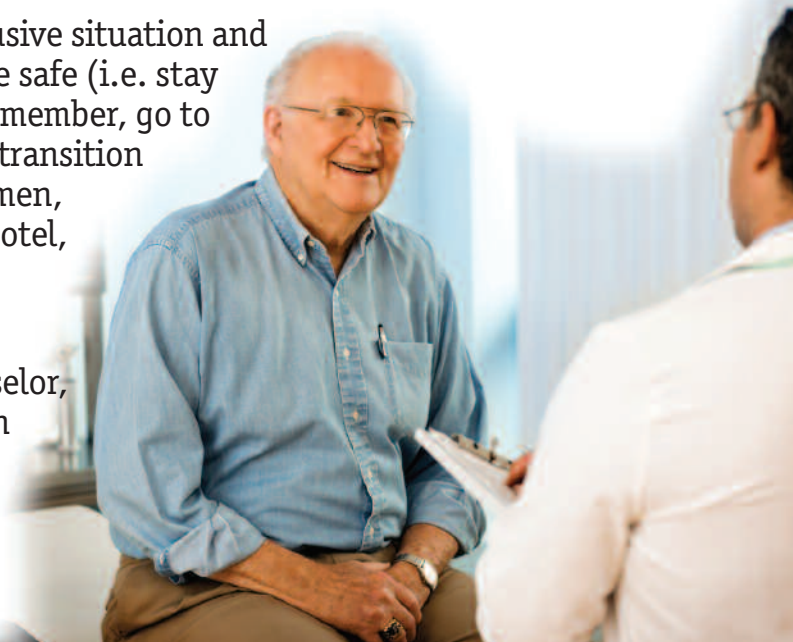
Find out about support services in your community.



What can I do if the person I am dating or living with is abusing me?

If someone is abusing you, there are several things you can do to get help:

- Talk to a close friend or a family member
- If you feel safe, talk to the abuser about your feelings
- Find out about support services, such as counseling, transition houses, mental health services, etc.
- Check out page 2 of the Telephone Book – Abuse Information pages
- Ask the service providers you contact to help you make a safety plan
- Contact the Department of Social Development
- If you have been harmed or threatened, or you are fearful, call the Police – in an emergency call 911
- Leave the abusive situation and go somewhere safe (i.e. stay with a family member, go to a shelter or a transition house for women, move into a hotel, etc.)
- Talk to your doctor, counselor, or someone in your faith community



Other Resources

For other useful publications, check PLEIS-NB's website - www.legal-info-legale.nb.ca, or call to order a free copy - (506) 453-5369.

PLEIS-NB Publications

- *Living Together* (Explains rights and responsibilities of common-law couples)
- *When Couples Separate*
- *Preventing Abuse and Neglect of Seniors*
- *Making a Will*
- *Dying Without a Will*
- *Powers of Attorney*
- *Powers of Attorney for Personal Care*

