

Assessment of Awareness of Actions (Understanding & Appreciation): Appendix B

Assessment of the sexual behaviour and identification of the terms under which the relationship between the two individuals 'residents will be supported should also include a determination of the resident(s) awareness of actions: the ability to understand and appreciate, to participate in a relationship. *Lichtenburg (1997) and Lichtenberg and Strzepak (1990) suggest that the following questions be asked to identify the conditions and circumstances to support finding of capacity.*

Resident's ability to Appreciate and Understand

1. Resident's Awareness of the Relationship:

The purpose of this section is to determine the residents understanding of who the other person is in the interaction. Here are some guiding questions to consider;

- a) *(Who is this? Can you introduce me?)*
- b) *Do you like to spend time together?*
- c) *How do you like to spend your time together? I.e. holding hands, talking with one another, hugging, arm around one another, and hand on the other persons lap...*
- d) **I noticed you were.... (Action) with.... (Name of person), were you comfortable with that? (For example... holding hands, hugging, kissing, fondling)**
- e) **Is there anything you wouldn't be comfortable with?**

Consider: Sexual activity without a partner's consent is illegal, Inability to differentiate between reality & fantasy, Ability to plan ahead & problem solve, Awareness of partners feelings, their verbal & non-verbal cues, knowing that participating in sexual activity is a choice, cultural backgrounds of the individuals including common greetings and or practices of people, example: a kiss on both cheeks.

2) Resident's Ability to refuse unwanted contact:

Consider verbal and non-verbal refusals i.e. Does the person refuse medications, personal care, bathing, assistance with meals? ADL's, what does this look like?

- a) **Do you like it when...? (Name of person) does... (Name of action)?**
- b) **How do you say "No"? If you don't like it, how would you say No if you wanted them to stop?**
- c) **Does the person have a history of refusing care, medications etc..... If so, what does this look like?**

d) Are there any past cultural or negative experiences that would have an impact on how the person is responding to the interaction? Past assaults, past abusive relationships, passive nature.....

e) *How did the other person react when told "No" either verbally or physically? (Consider adding this piece into the levels of risk in terms of the other individual continuously seeking the person out, even when it is unwanted.)*

f) **Resident's Awareness of Potential Risks?**

a) Are you aware that there could be risks associated with this relationship?
(Things to consider... Anger from family/Staff/Co-residents Lack of Privacy, Pain, mobility issues, infections, relationship ending, spouse interference and/or concerns, knowing some people are unable to give sexual consent)

****Separate whether or not there is a potential risk versus whether there is no risk at all