

Hourglass is the only charity in the UK dedicated to ending the abuse of older people and promoting a safer ageing society for everyone.

Research Hourglass commissioned in 2020 highlighted shocking data at the extent of abuse of those aged over 65 across the nations. It estimated 1 in 5 older people have personal experience as abuse and as many 2.7 million are thought to be affected across the country. As the charity approaches its 30th anniversary, Hourglass continues to campaign and educate on those issues around abuse of older people.

This February, a series of webinars will be taking place to discuss and debate some of those issues.

What Can We Do To Prevent Predatory Marriage?

Overview

There is no legal definition of predatory marriage but the term refers to incidents where a person marries someone vulnerable to secure financial or other gains. Predatory marriage is a form of economic abuse.

Predatory marriage disproportionately impacts the older population, who are more likely to suffer multiple long-term health conditions. A typical example is when an older person with dementia or other cognitive impairment is taken advantage of by someone younger than them.

These types of relationships can be kept secret from vulnerable person's loved ones, who may only become aware of the marriage after their death. Under English law (section 18 of the Will Act 1837) marriage automatically revokes any previous wills. After death the spouse will often receive the majority or all of the deceased estate however short the marriage.

Hallmarks of predatory marriage:

- The marriage may well take place suddenly after a brief relationship
- Capacity to marry is unclear or they are otherwise vulnerable
- Marriage may take place in another jurisdiction with less stringent capacity or formal rules
- Marriage may take place in secret

Issues with current safeguards:

- If the victim has set up a power of attorney, the attorney is not notified if victim marries.
- Notifications of marriage are displayed on notice boards in registry offices and are not easily searchable or listed online.
- No evidence is kept at the point of marriage – no video or audio recordings – once a marriage certificate is attained the following impact on wills is almost impossible to challenge.
- Registrars have responsibility for judgment of mental capacity on the day. These persons may not have training on dementia or mental capacity.
- There is an absence of joined up safeguarding between different relevant organisations and an absence of standardised safeguarding or mental capacity training.