Based on the projections from the United Nations (UN), 47% of Singapore’s total population will be aged 65 years or older in 2050.

It has also been reported in 2012, about 28,000 people in Singapore aged 60 and older had dementia. The number is expected to soar to 80,000 by 2030.

As our population ages and the risk of dementia increases, there is an emerging interest in the area of elder law.

In a 2-part post, we provide a brief introduction to two pieces of legislation in Singapore that may be invoked by loved ones or relevant authorities and organisations to help elders at risk.

**The Vulnerable Adults Act**

The Vulnerable Adults Act was enacted in 2018.

The Act affords legal protection to persons above 18 years of age, who have mental or physical infirmity, disability or incapacity, and are unable to protect themselves from abuse, neglect, or self-neglect.

This legislation is relevant in cases where elders fall victim to neglect occurring within their own homes or due to chronic severe frailty wherein they fall into a state of serious self-neglect.

This Act is called upon in cases where, due to serious family conflict, the elders are marginalised and left to fend for themselves, but for which they are incapable of doing so due to infirmity illness and other disabling factors.

Put simply, the Vulnerable Adults Act may be invoked where there is:

* Self-neglect – If you cannot take care of yourself at all (e.g. there is malnutrition, dehydration, untreated physical/mental illness or injury)
* Neglect by family or caregivers– If your family members or care-givers are not taking care of you.
* Abuse by family or caregivers – If you are abused physically, emotionally, or psychologically.

Broadly and in simple terms, the help afforded in the Vulnerable Adults Act includes allowing the authorities to:

·       Enter the home or wherever the elder resides

·       Remove the elder from harmful situations

·       Provide the elder with the proper care and protection required.

In Abuse cases, it is worth noting that Abuse does not just encompass physical violence being inflicted against the vulnerable person. The Act provides that Abuse can fall under any one or combination of these categories: Physical, Emotional/Psychological, Controlling Behaviour.

It is pertinent, therefore, to ask whether the elder experiences fear and a threat to his/her own safety. Another question may be this - whether the alleged abuser has acted in any way that unreasonably limits the elder’s freedom to do things or go about anywhere independently.

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| An Example of Abuse |
| Ana has dementia and lives with her adult son, Rick. When Rick is drunk and does not get what he wants from Ana, Rick shouts at Ana and destroys Ana’s belongings in Ana’s presence. This makes Ana scared and feel distressed. |

Once the Court is satisfied that the elder is in need of protection, the Court is empowered to issue appropriate Protective Orders. One such type of protection order that can be made is to restrain the abuser from inflicting further harm. Another type may be to grant the elder exclusive occupation to the residence, and this order is usually accompanied by another order to prohibit the abuser from visiting or communicating with the elder or from going to places where the elder frequents.

To the best knowledge of this writer, there are currently no statistics publicly available on the extent to which the Vulnerable Persons Act has been resorted to for the protection of elders.

*Disclaimer: The information contained in this article is not legal advice. It is produced for general information only. Readers will need to seek legal advice from a lawyer on their specific needs and questions.*