



Vulnerable Adults Act



Dear Social Service Practitioners,

The Vulnerable Adults Bill has recently been passed. It aims to protect vulnerable adults¹ from abuse, neglect or self-neglect, and to provide timely and effective interventions to prevent further abuse or neglect. The recurring theme that was present throughout the various consultations with helping professionals and stakeholders was the timeliness of this legislation, given the needs of our rapidly ageing population.²


Support for the Family in the Community to Provide Care

In Singapore, we uphold the principle of family as the first line of support. However, some families struggle to provide care for vulnerable members, let alone adequate care that ensures safety and keeps members confident at home. There are also elderly with physical or mental infirmities who live alone, and who may be at risk of social isolation.

This is where support from the community is especially important. A strong support for the family lies in the community. More services will continue to be provided in the community to support assisted living and ageing in place. As mentioned in this year's Budget, the goal of integrating seniors within supportive communities will take the form of the Community Networks for Seniors programme. The programme will be expanded island wide by 2020 (MOH, 2018). The Silver Generation Office placed within the Agency for Integrated Care will also have Silver Generation Ambassadors proactively reach out to new cohorts of Singaporeans aged 65 years and above, bringing them to health services and educating them on relevant support schemes (MOH, 2018). Where help is needed, various government agencies and partners will come together to deliver coordinated care to seniors.



Adult Protection Framework

 Singapore's adult protection framework relies on strong support from both the family and community. However, there will be occasions where family and community interventions are not adequate, and state interventions are therefore necessary as a last resort. These state interventions necessarily call for a legislative framework and safeguards to balance individual autonomy, familial support or obligation and intrusive help.

The Vulnerable Adults Act complements other existing laws that protect vulnerable individuals. These include the Women's Charter and the Mental Capacity Act. The new Act will not supplant these laws but will work alongside them to fill the narrow gap where family and community interventions have been exhausted. An example of this would be when one faces severe neglect but persistently refuses help despite good counsel and protracted engagement.

Families will continue to be supported and enabled by community interventions to be the first line of care and support for those unable to care for themselves. Personal care arrangements are often better put together through a collective decision by the family. The Act will only come in as the last resort.

Key Principles of the Act

The Act is guided by five key principles. These principles acknowledge the importance of balancing the need to protect a vulnerable adult and the person's right to autonomy.

¹ A vulnerable adult is an individual, aged 18 years or older, who because of mental or physical infirmity, disability or incapacity, is incapable of protecting himself or herself from abuse, neglect or self-neglect (MSF, 2018).

² By 2030, the number of seniors aged 65 years and above will almost double to over 900,000. The largest increase will occur between 2020 and 2025, with about 179,000 baby boomers entering 65 years and above (MOH, 2018).

The intent of the Act will be shaped by the following calibrations:

- 1** Any exercise of power or duty sanctioned by the Act must be for the protection of the adult from abuse, neglect and self-neglect.
- 2** The adult who has mental capacity is generally best placed to decide how he/ she wishes to live and whether or not to accept assistance.
- 3** The views, wishes, feelings, values and beliefs of a vulnerable adult who lacks mental capacity must be considered.
- 4** The duty sanctioned by the Act must be carried out in a manner that is the least restrictive of the person's right and freedom of action.
- 5** The welfare and best interest of the person must be the first and paramount consideration.

Statutory Powers for Effective Protection

Where community intervention fails, the Act will provide powers that will enable swift protection of the vulnerable adult. An example of such protection includes the enabling of the Director or Protector³ to enter private premises to assess a suspected vulnerable adult if there is reason to believe that a vulnerable adult is at risk of, or has been subjected to abuse, neglect or self-neglect.

Having established that the adult requires to be in a safe environment, the Director or Protector may then commit the person to a place of temporary care and protection or to the care of a fit person. The Director or Protector must then apply for a Court order for further committal of the person within 14 working days.




Good follow through of social interventions is also important. Such include the ability to safeguard the well-being of the vulnerable adult through court orders for medical and dental treatment if necessary for the care of the the person. Other court orders include orders to make the adult's residence a safe living environment and orders requiring the adult or any other person to attend counselling or programmes as directed by the Court.

The latter aims to repair relationships and ensure adequate support for both the vulnerable adult and his/ her caregiver who may be the perpetrator. To preserve the role of the family, family members can apply for protection orders as victims may not be able to apply for orders on their own.

Protecting case workers and the community who do due diligence

To give case workers the peace of mind as they diligently and dutifully carry out their practice, the Act protects anyone performing a function or who exercises powers under the Act from legal liability when they act in good faith and with reasonable care ie they act professionally and responsibly.

The Act is premised on the adult's autonomy to make his or her own decisions providing for the Government to intervene only in exceptional situations. Such situations include the persistent refusal of assistance when there is imminent danger even when the vulnerable adult has mental capacity or when help is refused due to duress or undue influence.

The Act will however only be effective if the community continues to play its part in various ways. As a community, we must ensure the safety of vulnerable victims and support families in their care responsibility. Abuse of anyone is not a private matter and must not be tolerated. Everyone - including family members, neighbours, grassroots leaders, employers and healthcare professionals - has a responsibility to prevent, interrupt and protect vulnerable victims from abuse. We must all step up to break the silence by reporting suspected cases of abuse, neglect and self-neglect. 

Ang Bee Lian
Director of Social Welfare

³ Director of Social Welfare (Director): The state powers and functions will be held by the Director, who is responsible for the administration of the Act.

Protector: The Director can appoint senior officers from MSF's Adult Protective Service as "Protectors" to enter and assess, obtain information and remove and relocate.

References:

Ministry of Social and Family Development (MSF). (2017). *Stop Family Violence - Abuse of Vulnerable Adults*. Retrieved from Ministry of Social and Family Development: www.msf.gov.sg/publications/Pages/Stop-Family-Violence-Abuse-of-Vulnerable-Adults.aspx
Ministry of Health. (2018, February 19). *Ministry of Health*. Retrieved from Integration of Health and Social Services to Support Seniors: https://www.moh.gov.sg/content/moh_web/home/pressRoom/pressRoomItemRelease/2018/integration-of-health-and-social-services-to-support-seniors.html
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