

## Step 7 File for POs

### Application



- The Applicant will affirm the complaint in front of a judge, on the day of the application itself.
- The Judge then will consider the application and decides if he/she will accept it and grant an EO.

### Summons



- Summons will be served on the Respondent with or without an EO.

### Court Mentions\*



- If **the Respondent consents**, the PO will be granted with/without an order for counselling or other court directed programme.
- The case is then concluded, subject to a court review if so ordered by the Judge.
- If **the Respondent does not consent and the parties cannot agree**, the PO will not be granted and the matter will proceed to hearing (or subsequent mentions if necessary\*\*).

### Hearing\*



- Depending on the Judge's findings at the hearing, he/she may or may not grant a PO for the VA.
- If a PO is granted, the Judge may also order that parties go for counselling.

*\* If the Respondent is absent without valid reasons, the Court may either issue a Warrant of Arrest and/or direct that the hearing proceeds in the absence of the Respondent.*

*If the Applicant is absent, the case will be struck out.*

*If the Applicant wishes to withdraw, he/she must do so before the Judge on the mentions/hearing day.*

*If there are no valid grounds for a PO/EO, the case will be dismissed.*

*\*\* There may be subsequent mentions fixed for parties to engage, seek legal advice or exchange documents/affidavits.*

## Frequently Asked Questions

### Do I need a lawyer?

A lawyer is not required for an application of a PO though applicants below 21 years old will need to act through a litigation representative, who in turn acts through a lawyer.

In all other cases, the Applicant may engage a lawyer if he chooses to be legally represented.

### What if the Respondent does not obey the court order(s)?

Report the matter to the police immediately.

Under section 14(10) of the Vulnerable Adults Act 2018, a breach of a PO is a criminal offence.

### What if the VA is afraid to see the Respondent in court?

A family member or friend could accompany the VA to the Court. If no one is able to do so, the VA may discuss with the Court Family Specialists at the Family Protection Centre regarding alternative arrangements, such as requesting for video-link facilities.

### Where can I call for more information?

You can seek more information at any FSC, FVSC, or at the Family Protection Centre at the FJC.

You can seek legal assistance from the Community Justice Centre, Community Legal Clinic, or Legal Aid Bureau.

To maintain impartiality, a court staff cannot provide legal advice or recommend lawyers. A list of lawyers may be obtained from the Law Society of Singapore.

### Disclaimer:

- The flow chart represents the typical processes only. The Judge has the full discretion to direct the best possible course of action at any point in time.
- This publication is produced for general information only and does not constitute any form of legal advice or specific advice about any individual case.
- FJC disclaims any and all liabilities in connection with the contents of this publication.
- Always seek legal advice when in doubt.



# Vulnerable Adults Act

## Processes at a Glance

This leaflet is to help you get a better understanding of what's involved and how you may help a Vulnerable Adult (VA). Family members of the VAs should protect the VAs from abuse. However, if the family member cannot do so, or if you are a VA and are unable to protect yourself from the abuse, you can now get assistance and support under the above mentioned Act. You may seek assistance at a Family Service Centre (FSC), a Family Violence Specialist Centre (FVSC), or head down to the Family Protection Centre at the Family Justice Courts (FJC).

# Vulnerable Adults Act (VAA)

The VAA came into operation on 19 December 2018.



## Step 1 Who is a VA?

Is one who meets **all** the following criteria:

- 18 years of age or older,
- Has mental or physical infirmity, disability or incapacity, and because of that,
- Is unable to protect oneself from abuse, neglect, or self-neglect.



## Step 2 What is abuse, neglect or self-neglect?

	<b>Abuse</b>	Physical Abuse
		Emotional or psychological abuse
		Conduct that controls or dominates the VA, causing the VA to fear for his/her safety or well-being
		Conduct that deprives, or threatens to deprive, the VA of liberty of movement or well-being
	<b>Neglect</b>	Lack of provision of essential care causing, or being likely to cause, injury or pain, or injury to the mental or physical health of the VA
	<b>Self-Neglect</b>	The failure of the VA to perform essential tasks of daily living resulting in the VA: <ul style="list-style-type: none"> <li>• Living in grossly unsanitary or hazardous conditions</li> <li>• Suffering from malnutrition or dehydration</li> <li>• Suffering from untreated physical or mental illness or injury</li> </ul>

## Step 3 Who can apply for a Protective Order (PO)?

Does the VA have the mental capacity to consent to the application?

Yes	No
<ul style="list-style-type: none"> <li>• VA themselves*</li> <li>• Family member*, with consent of the VA</li> <li>• Approved welfare officer, with consent of the VA</li> <li>• Director-General of Social Welfare or protector</li> </ul>	<ul style="list-style-type: none"> <li>• Donee or deputy</li> <li>• Family member*</li> <li>• Approved welfare officer</li> <li>• Director-General of Social Welfare or protector</li> </ul>

\* Please turn overleaf to Frequently Asked Question on "Do I need a lawyer?"

## Step 4 What documents do I need to provide?

Applicant	What does it mean?	What documents are required?
<b>VA*</b>	<ul style="list-style-type: none"> <li>• 18 years of age or older,</li> <li>• Has mental or physical infirmity, disability or incapacity, and because of that,</li> <li>• Is unable to protect oneself from abuse, neglect, or self-neglect</li> </ul>	<ul style="list-style-type: none"> <li>• NRIC</li> <li>• Mental Capacity Assessment Report if mentally infirmed. Medical Report may also be required by the Court for physical infirmity.</li> </ul>
<b>Family member*</b>	<ul style="list-style-type: none"> <li>• Spouse</li> <li>• Child</li> <li>• Adopted child</li> <li>• Stepchild</li> <li>• Parent</li> <li>• Parent-in-law</li> <li>• Sibling</li> <li>• Grandparent</li> <li>• Grandchild</li> <li>• Other individual(s) whom the Court may regard as a family member</li> </ul>	<ul style="list-style-type: none"> <li>• Family member's NRIC</li> <li>• Proof of relationship</li> <li>• Consent Form signed by the VA</li> <li>• Mental Capacity Assessment Form signed by registered medical practitioner, for the VA lacking mental capacity</li> <li>• Medical Report showing physical infirmity (if applicable and available)</li> </ul>
<b>Donee</b>	An individual that has the authority conferred by a Lasting Power of Attorney to make decisions about certain aspects of the VA's welfare, property and affairs.	<ul style="list-style-type: none"> <li>• Donee's NRIC</li> <li>• Lasting Power of Attorney</li> <li>• Mental Capacity Assessment Form signed by a registered medical practitioner</li> </ul>
<b>Deputy</b>	An individual appointed by a court under the Mental Capacity Act to make decisions on behalf of the VA in relation to certain matters.	<ul style="list-style-type: none"> <li>• Deputy's NRIC</li> <li>• Court Order on the Appointment</li> <li>• Mental Capacity Assessment Form** signed by a registered medical practitioner</li> </ul>

\* Please turn overleaf to Frequently Asked Question on "Do I need a lawyer?"

## Step 5 What orders can I apply for?

<b>Restraining Order</b>	Restrains the Respondent from abusing or further abusing the VA
<b>Exclusion Order</b>	Exclude the abuser and allow the VA to solely occupy the premises or specified part of the premises
<b>Non-Access Order</b>	Prohibits the Respondent from entering an area outside the VA's place of residence or any other place frequented by the VA
<b>Non-Visitation/ Non-Communication Order</b>	Prohibits the Respondent from visiting or communicating with the VA

**Expedited Orders (EOs)**, which are temporary POs, could be issued pending the hearing of the application if the Court is satisfied that the VA is experiencing, or is in imminent danger of abuse, neglect, or self-neglect.

## Step 6 Where can I apply?



In person at the **Family Protection Centre**, at Level 1 of the FJC.

Or at any of the FVSCs\*:

- PAVE Integrated Services for Individual and Family Protection Specialist Centre at Ang Mo Kio;
- TRANS SAFE Centre at Bedok; or
- Care Corner Project StART (CCPS) at Commonwealth.



\* The most up-to-date list of FVSCs may be found at the Ministry of Social & Family Development website.



\*\* Please refer to the FJC website for the relevant forms.



If you encounter anyone suffering from self-neglect, do seek assistance at any **FSC** nearest to you, call **ComCare Hotline** at 1800 222 0000, or call National Care Hotline at 1800 202 6868.