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## Legal Brief\*

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### Abuse of Vulnerable Persons

With the aging of our population, the abuse of elderly and vulnerable individuals is undoubtedly an extremely important societal issue. It is essential that safety nets be put in place in order to prevent abuse and to be able to identify who the victims might be so as to intervene in order to protect them.

In Québec, the *Act to combat maltreatment of seniors and other persons of full age in vulnerable situations* came into force on May 30, 2017.

The purpose of this *Act* is to combat the abuse of persons in vulnerable situations, among other things by imposing the obligation on every institution within the meaning of the *Act respecting health services and social services* to adopt and implement a policy to combat abuse of these individuals, and by "*establishing an intervention process with respect to maltreatment of seniors and other persons of full age in vulnerable situations*".

The purpose of the policy is, in particular:

- *to establish measures to prevent and combat maltreatment of such persons, and*
- *to support them in any steps taken to end it.*

The *Act* requires certain persons to report abuse immediately.

They must do so if they have reasonable grounds to believe that a person "*is a victim of a single or repeated act, or a lack of appropriate action, that seriously undermines the physical or psychological integrity of the person*".

This obligation "*even applies to persons bound by professional secrecy, except lawyers and notaries who receive information about such a case in the exercise of their profession*".

The *Act* provides that a report of a situation of abuse will be handled confidentially.

A person who, in good faith, reports abuse is protected from reprisals and legal proceedings.

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\* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.



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## Abuse of Vulnerable Persons (Continued)

Institutions must make their policy known to users, including those who receive in-home services, and their close family members.

The *Act* also allows the government to require any other body or resource it designates to adopt a policy that complies with the terms of the *Act*.

It is the responsibility of the institution's local service quality and complaints commissioner to handle complaints and reports made under the policy adopted by the institution.

For more information about the *Act to combat maltreatment of seniors and other persons of full age in vulnerable situations*, don't hesitate to contact the legal aid office nearest you.

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Don't hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you.

To find the contact information for your legal aid office, please visit our website at [www.csj.qc.ca](http://www.csj.qc.ca).

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