**ADULT SUPPORT AND PROTECTION (SCOTLAND) ACT 2007**

This Act is designed to protect vulnerable people from being harmed.

Some people, (referred to in the Act as “Adults at Risk”) (16 and over) are more vulnerable than others, and may find it more difficult to avoid harm and/or exploitation.

“Adults at Risk” might find it difficult to keep their property or possessions safe, keep themselves safe from physical harm from others, or may be vulnerable because of a mental illness, dementia or learning or other disability.

Such people may not always be at risk, but in risk circumstances the Act can help to protect them through specific measures and practices, undertaken by the local authority.

These measures can include an assessment order, a removal order ort a banning order. These are known as Protection Orders. If a person does not want to participate, then they do not have to, and other laws (eg AWI, MHA) may have to be employed.

The Principle is that the ASPA is used to ensure that a vulnerable person is protected. It is not a tool of compulsion or restriction.

If you are concerned that a vulnerable person is at risk, then you should contact the Duty Social Worker or the Adult Protection Unit. The Local Authority’s Adult Protection Committee oversees this work.

An investigation will be undertaken, and an assessment meeting may be held, with all relevant parties invited, including advocacy. Actions, with the person’s consent will be decided and recorded.

Any Protection Orders granted are approved in court by the Sheriff, but if the person at risk does not consent, the sheriff cannot grant the order, unless it is clear that the person at risk is under undue pressure to withhold consent.