

Did you know?

- **Financial abuse is often accompanied by physical or social abuse and neglect.**
- **Research has shown that the most likely candidates of financial abuse are single elderly people.**
- **Vulnerable adults are at the greatest risk of financial abuse when a non-related person is living with them in their home.**
- **Dementia strikes regardless of sex, ethnicity, or any other demographic factor other than age.**
- **Dementia becomes an increasing risk with age, rising from a 2% chance at 65 years to a 20% chance at 80 years.**
- **Dementia currently affects over 700,000 people in the UK, and by 2010 this is expected to rise to 850,000.**

Additional information

The PGO can provide you with:

- our **Receiver's Handbook**, which is a guide to the role and duties of a receiver;
- the **Receiver Application Pack** (including forms);
- **answers to questions** that you may have about receivership or EPAs; and
- **information** about financial abuse, and details of the PGO's full range of services.

Please note that PGO staff cannot provide legal advice. We recommend you obtain legal advice from a Legal Advice Centre, a solicitor or the Law Society.

Contact us

Telephone 0845 330 2900
between 9am–6pm, Mon–Fri

Fax 020 7664 7705

E-mail custserv@guardianship.gov.uk

Website www.guardianship.gov.uk



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Are you aware of financial abuse?

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Who is at risk of financial abuse?

When a person loses mental capacity – due to illness or injury – they often become unable to manage their financial affairs. People with mental incapacity are often highly vulnerable. Without the right protection, they can be at risk of financial abuse and could face losing their home or their savings.

What is financial abuse?

The term ‘financial abuse’ describes the situation where an abuser **misappropriates** a vulnerable person’s money and/or other assets through various means (e.g. theft or fraud); **misuses** or wrongfully spends a vulnerable person’s assets while having legitimate access to these; or **fails to use** a vulnerable person’s assets to meet that person’s needs.

The abuser may make excuses for their behaviour, such as “I need this money more than they do”, or “I’ll inherit this money anyway”. But they are actually taking advantage of the vulnerable person. **In many cases, financial abuse is often accompanied by physical or social abuse and neglect.**

Do you know someone who may be suffering financial abuse?

If you suspect that someone is being financially abused, you can contact a number of people and organisations for help, such as Social Services, your local GP, a nurse, a legal professional such as solicitor, or the Public Guardianship Office.

The Court of Protection and The Public Guardianship Office

The Court of Protection is responsible for helping people who are unable to manage their affairs due to lack of mental capacity. It has powers to decide how the property and financial affairs of a person with mental incapacity should be managed.

The Public Guardianship Office supports the Court of Protection, and is part of the Department for Constitutional Affairs. It provides services that protect the financial well-being of people with mental incapacity.

How can we help?

If the **Court of Protection** decides that a person needs financial protection, it appoints a receiver to be responsible for managing that person’s financial affairs. A person’s relative, friend or professional can apply to become receiver.

If a person is mentally able to do so, they can decide who they would like to manage their financial affairs by making an Enduring Power of Attorney (EPA). If they lose mental capacity after making the EPA, then whoever they chose to manage their financial affairs is legally required to register the document with the Court of Protection before using it.

The Public Guardianship Office helps receivers to carry out their duties properly, and monitors their activities to ensure that they are acting in the best interests of the person with mental incapacity.

It also answers questions about EPAs, and investigates if someone is not happy with the way an EPA is being used.