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Elder abuse: what to do?

Verified 06 avril 2020 - Directorate of Legal and Administrative Information (Prime Minister), Ministry of Justice

The elderly victim of abuse may make a report. Any person who witnesses or is informed of a situation of abuse of an elderly person must also make a report. The place of residence of the elderly does not matter. If the witness is aware of the abuse in the course of his work, while he is subject to professional secrecy (e.g. medical confidentiality), he must still make a report, but according to special rules.

General case

Elderly person in retirement home

Abuse refers to all forms of physical or psychological violence. Whether it is beatings, bullying or deprivation.

Passive behavior, if it harms the elderly, is also considered abuse: deprivation of care, food, abandonment in any place...

Anyone who is aware of a situation of abuse of an elderly person in a nursing home must notify the prefect, regardless of the seriousness of the situation. An employee of a nursing home who has reported a case of ill-treatment in his or her institution may not be punished for his or her reporting. The prefect can be alerted on the spot, by telephone, by mail or by email.

Who shall I contact

Specify your city or postcode The choice of a municipality in the suggestion list will automatically trigger an update of the content

- [Prefecture](http://www.interieur.gouv.fr/Le-ministere/Prefectures)  (<http://www.interieur.gouv.fr/Le-ministere/Prefectures>)

Advice can be obtained by calling the 3977 dedicated contact center.

- Abuse of older persons and persons with disabilities - 3977
Listens to, supports and assists elderly and disabled people, caring for people and witnesses of abuse against them.

By phone

3977

Open Monday to Friday from 9am to 7pm.

Free service + cost of a call to a landline, from a landline or mobile phone.

 **FYI** : if the perpetrator is a doctor, you can also notify the medical board.

- [Departmental Council of the Order of Physicians](http://www.conseil-national.medecin.fr/contacts-ordre-des-medecins)  (<http://www.conseil-national.medecin.fr/contacts-ordre-des-medecins>)

The author of the report must provide any information concerning the ill-treatment of which he is aware.

Failure to report a situation of ill-treatment of an elderly person of which one is aware may be punished by 3 years in prison and €25,000 fine.

Senior hospitalized

Abuse refers to all forms of physical or psychological violence. Whether it is beatings, bullying or deprivation.

Passive behavior, if it harms the elderly, is also considered abuse: deprivation of care, food, abandonment in any place...

Anyone who is aware of a situation of elder abuse in a public or private care facility must notify the Regional Health Agency (RHA), regardless of the seriousness of the situation. A hospital officer who has reported a case of ill-treatment in his or her institution may not be punished for his or her reporting.

To make the report, you must go to the relevant LRA website for the city concerned and follow the procedure for reporting a public health risk.

Who shall I contact

- [Regional Health Agency \(RHA\)](https://www.ars.sante.fr/)  (<https://www.ars.sante.fr/>)

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The author of the report must provide any information concerning the ill-treatment of which he is aware.

Failure to report a situation of ill-treatment of an elderly person of which one is aware may be punished by 3 years in prison and €25,000 fine.

Other cases

Abuse refers to all forms of physical or psychological violence. Whether it is beatings, bullying or deprivation.

Passive behavior, if it harms the elderly, is also considered abuse: deprivation of care, food, abandonment in any place...

These acts are punished by whomever they are: family, personal doctor, home help...

Any person who has knowledge of a situation of mistreatment of an elderly person should notify the competent public prosecutor, regardless of the seriousness of the situation.

Who shall I contact

- [Court of Justice or Proximity](https://www.justice.fr/recherche/annuaires)  (<https://www.justice.fr/recherche/annuaires>)

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Failure to report a situation of ill-treatment of an elderly person of which one is aware may be punished by 3 years in prison and €25,000 fine.

Witness subject to professional secrecy

Elderly person in retirement home

Abuse refers to all forms of physical or psychological violence. Whether it is beatings, bullying or deprivation.

Passive behavior, if it harms the elderly, is also considered abuse: deprivation of care, food, abandonment in any place...

A professional who witnesses a situation of abuse of an elderly person in a nursing home must alert the prefect:

- If there is deprivation (of care, food) or abuse (physical or psychological)
- If there is a risk of suicide or harm to life by the use of a weapon

A doctor in a nursing home who has reported a case of ill-treatment in his institution cannot be punished because of his report.

The prefect can be alerted on the spot, by telephone, by mail or by email.

Who shall I contact

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Due to professional secrecy, a doctor is only required to report the facts: he does not have to denounce their author, even if he knows him.

Failure to report a situation of ill-treatment of an elderly person of which one is aware may be punished by 3 years in prison and €25,000 fine.

Senior hospitalized

Abuse refers to all forms of physical or psychological violence. Whether it is beatings, bullying or deprivation.

Passive behavior, if it harms the elderly, is also considered abuse: deprivation of care, food, abandonment in any place...

A professional who witnesses a situation of elder abuse in a care facility must alert the Regional Health Agency (RHA):

- If there is deprivation (of care, food) or abuse (physical or psychological)
- If there is a risk of suicide or harm to life by the use of a weapon

The report must be made, whether the victim is in a public hospital or in a private care facility.

A doctor who has reported a case of ill-treatment in his institution cannot be punished for his report.

To make the report, you must go to the website of the LRA responsible for the city and follow the procedure for reporting a risk to public health.

Who shall I contact

- [Regional Health Agency \(RHA\)](https://www.ars.sante.fr/)  (<https://www.ars.sante.fr/>)

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Due to professional secrecy, a doctor is only required to report the facts: he does not have to denounce their author, even if he knows him.

Failure to report a situation of ill-treatment of an elderly person of which one is aware may be punished by 3 years in prison and €25,000 fine.

Other cases

Abuse refers to all forms of physical or psychological violence. Whether it is beatings, bullying or deprivation.

Passive behavior, if it harms the elderly, is also considered abuse: deprivation of care, food, abandonment in any place...

Such acts shall be punished, irrespective of their perpetrators: family, personal doctor, home help...

The professional who witnesses a situation of abuse of an elderly person must also alert the public prosecutor:

- deprivation (of care, food) or abuse (physical or psychological),
- there is a risk of suicide or harm to the life of others by the use of a weapon.

Who shall I contact

- [Court of Justice or Proximity](https://www.justice.fr/recherche/annuaires)  (<https://www.justice.fr/recherche/annuaires>)

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The author of the report must provide all information concerning the ill-treatment of which he is aware.

By way of exception, a doctor is only required to report the facts ascertained, because of professional secrecy: he does not have to denounce their author, even if he knows him.

Failure to report a situation of ill-treatment of an elderly person of which one is aware may be punished by 3 years in prison and €25,000 fine.

Statute and miscellaneous references

- Penal Code: Articles 226-13 to 226-14  (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006181756&cidTexte=LEGITEXT000006070719>)
Derogation from professional secrecy
- Penal Code: articles 434-1 to 434-7  (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006165378&cidTexte=LEGITEXT000006070719>)
Failure to report abuse
- Social Action and Family Code: Articles L311-3 to L311-11  (<https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006174398&cidTexte=LEGITEXT000006074069>)
Rights of hospitalized persons or persons in retirement homes
- Social Action and Family Code: Articles L313-24 to L313-27  (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006174407&cidTexte=LEGITEXT000006074069>)
Reports of abuse in nursing homes or hospitals
- Circular of 20 February 2014 on combating ill-treatment of older persons and persons with disabilities in social and medico-social institutions (PDF - 471.5 KB)  (http://circulaire.legifrance.gouv.fr/pdf/2014/03/cir_38046.pdf)

For more information, please contact

- Person who is losing autonomy: what to do in case of abuse?  (<https://www.pour-les-personnes-agees.gouv.fr/preserver-son-autonomie-s-informer-et-anticiper/perte-d-autonomie-evaluation-et-droits/que-faire-en-cas-de-maltraitance>)
National Solidarity Fund for Autonomy (CNSA)