

*These notes refer to the Mental Capacity Act (Northern Ireland)
2016 (c.18) which received Royal Assent on 9 May 2016*

Mental Capacity Act (Northern Ireland) 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 10 – Criminal Justice

Chapter 8 – Rights of Review of Detention under Part 10

Section 230 - Duty to notify the Attorney General

This section provides that the responsible medical practitioner must, as soon as practicable, give the Attorney General any prescribed information and notice of various matters. This duty arises if immediately after the end of a relevant period, a person is liable to be detained under a public protection order or is liable to be detained in hospital under a hospital direction or hospital transfer direction; no application or reference to the Tribunal was made during the relevant period; and the responsible medical practitioner is of the opinion that the person lacks or probably lacks capacity in relation to whether an application to the Tribunal under section 225 should be made.

“The relevant period” means the period of six months beginning with the date of the order or direction, and any period of six months immediately following another relevant period.