



2016 CHAPTER 18

PART 13
OFFENCES

Ill-treatment or neglect

267.—(1) A person (“X”) who—

- (a) ill-treats, or
- (b) wilfully neglects,

another person (“P”) where this section applies commits an offence.

(2) This section applies where—

- (a) X has the care of P, and P lacks capacity in relation to all or any matters concerning his or her care or is believed by X to lack capacity in relation to all or any such matters;
- (b) P is detained under Part 9 or 10, and is in the custody or care of X;
- (c) X is an attorney under a lasting power of attorney, or an enduring power of attorney, granted by P; or
- (d) X is a deputy appointed for P by the court.

(3) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine or both.

(4) Proceedings in respect of an offence under this section may be brought only by, or with the consent of, the Director of Public Prosecutions for Northern Ireland.