

*These notes refer to the Mental Capacity Act 2005
(c.9) which received Royal Assent on 7 April 2005*

MENTAL CAPACITY ACT 2005

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Persons Who Lack Capacity

Independent mental capacity advocate service

Section 44: Ill-treatment or neglect

129. This section creates an offence of ill-treatment or wilful neglect of a person lacking capacity by anyone responsible for that person's care, donees of LPAs or EPAs, or deputies appointed by the court.