

# **SOCIAL SERVICES AND WELL- BEING (WALES) ACT 2014**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 127 – Adult protection and support orders***

366. **Section 127** enables applications to be made to magistrates' courts for adult protection and support orders. The purpose of such orders is to enable an authorised officer to speak in private to a person suspected of being an adult at risk to establish whether he or she can make decisions freely, to assess whether the person is an adult at risk and to establish whether any action should be taken, and if so, what action.
367. Applications for such orders may be made by an authorised officer who is an individual authorised by the local authority to perform functions under this section. Regulations can place restrictions on who may be authorised under this section, for example, by requiring particular qualifications or experience.
368. When an adult protection and support order is in force the authorised officer, a police constable (if considered necessary) and any other person specified in the order has the power to enter the premises where the suspected adult at risk is living, for the purposes set out in subsection (2). Subsection (7) provides that the constable may use reasonable force (for example, to gain access to the premises where the adult at risk lives) if such force is necessary to enable the purposes of the order to be fulfilled.
369. Subsection (4) sets out the grounds on which an order may be granted. Subsection (5) sets out what must be specified in every adult protection and support order. Justices of the peace may also attach other conditions to orders.