

Status: This version of this provision is prospective.

Changes to legislation: *Mental Capacity Act (Northern Ireland) 2016, Section 211 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



2016 CHAPTER 18

PART 10

CRIMINAL JUSTICE

CHAPTER 7

TRANSFER FROM PRISON ETC TO HOSPITAL

Persons serving custodial sentences etc

PROSPECTIVE

Power to transfer person serving custodial sentence etc to hospital

211.—(1) Where—

- (a) a person is serving a relevant sentence, and
- (b) the conditions for giving a direction under this section are met (see section 212),

the Department of Justice may by warrant direct that the person be removed to a hospital specified in the direction.

(2) For the purposes of this section a person is “serving a relevant sentence” if—

- (a) the person is detained under a custodial sentence (defined by section 253);
- (b) the person is committed to custody for failure to comply with an order to enter into a recognizance to keep the peace or to be of good behaviour or both; or

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(c) the person is committed by a court to a prison in default of payment of any sum adjudged to be paid on the person's conviction.

(3) In subsection (2)(c) “prison” includes a young offenders centre or juvenile justice centre.

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Changes and effects yet to be applied to :

- s. 211(1) modified (temp.) by [2020 c. 7 Sch. 11 para. 17](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 285(2)(a)-(c) substituted for s. 285(2)(a)(b) by [2022 c. 18 \(N.I.\) Sch. 3 para. 77\(b\)](#)