



TRIBUNALS  
JUDICIARY

## **HEALTH, EDUCATION & SOCIAL CARE CHAMBER (FIRST-TIER TRIBUNAL)**

### **Mental Health**

#### **HELP FOR USERS**

Due to the current pandemic, Mental Health Tribunals are now happening by video or telephone to ensure patients who are sectioned still have access to a hearing.

#### **What this means**

Our cases will continue to be scheduled by staff at a central administration centre. Instead of three people being on your Tribunal, the decision about whether you need to be sectioned will be made by a Judge who will hear the case alone. This is because we have less support because of the coronavirus. The Judge can call on specialist advice if they need to from one of our medical or specialist lay members. Our usual rules and practice directions have been changed to allow this to happen. You can find out more about the changes [on the Courts and Tribunals Judiciary website](#). If you think that your hearing needs to happen in a different way you can ask the Tribunal to do this.

At the moment people cannot meet together. Because of this the patient cannot see a medical member of the Tribunal before the hearing. We cannot visit hospitals. We are continuing to make decisions, respecting patients, hospital staff, representatives and tribunal members safety by having video and telephone hearings wherever that is appropriate.

The Judge will hear your case either over the telephone or by video. The Judge will have already seen the usual reports from the doctor, nurse and care coordinator (or other staff from the community team). The judge will hear what you (the patient) have to say and what your representative has to say where you have one. All witnesses who take part in the hearing will also do so by telephone or video. They are able to talk to the Judge from different places, but all witnesses will be able to hear what each other says.

#### **Some of our hearings may not be able to go ahead**

At the moment, we are still able to hear the cases of all patients who are sectioned in hospitals. Unfortunately, we are not able to hear cases for community patients on a CTO or those who have already been conditionally discharged, because of the difficulties we have in organising hearings where everyone can participate. These cases will be put off until we can hear them unless you or your representative make an application to the Tribunal to explain why your case must go ahead. You can do this by sending an email to [mhtcasemanagementrequests@justice.gov.uk](mailto:mhtcasemanagementrequests@justice.gov.uk)

**How long will these changes last?**

These changes will only last for as long as is necessary and are constantly being considered by the Tribunal and the Judges who work in it.

**15 April 2020**