

Writing reports for Tribunal hearings

A guide for treating teams

The purpose of reports

The purpose of reports for Mental Health Tribunal hearings is to:

- explain why you think the patient needs compulsory treatment in a way the patient can understand
- share what you know about the patient's views and the views of their family, friends and carers so that the Tribunal can consider them.

Reports provide a valuable starting point for the conversation at Tribunal hearings.

How to write reports

To write an effective report:

- **Help the patient prepare** – Talk to the patient about their preferences, the Mental Health and Wellbeing Act and why you think their treatment may need to be compulsory before you write the report, so they won't be surprised by it.
- **Write the report to the patient** – Write as if it is a letter to the patient.
- **Write sensitively and respectfully in plain English the patient can understand**
- **Make it clear why you think the patient needs compulsory treatment**
- **Provide details to support your reasoning** such as relevant events, observed symptoms, discussions with the patient etc. The focus should be on recent details, but some historical material may also be relevant.
- **Don't use medical jargon or acronyms**
- **Use patient focused and recovery-oriented language** – Highlight the patient's strengths, strong relationships, opportunities, periods of stability and supports they could access to help them recover.

You must share the report with the patient

The patient may need your help to read and understand the report. Under the *Mental Health and Wellbeing Act 2022* you must give the patient a copy of the report at least 2 business days before the hearing. This is for fairness and gives the patient time to prepare for the hearing. The patient must also be given access to the materials from their file that are being provided to the Tribunal (except where an application is being made to withhold some of these materials).

The report can also be shared with carers and compulsory notification contacts with the patient's permission

What to include in the report

| Parts of the report | What to include |
|---|--|
| Background information for the Tribunal | <p>Provide a summary of the patient's strengths, supports in the community, culture, family, housing, significant relationships, education and work. Summarise the patient's views about their treatment and their goals more broadly (approximately 250 words).</p> <p>Discuss this part of the report with the patient to avoid errors.</p> <p>Don't include history of the patient's mental health here. Instead provide relevant history in the next parts of the report to explain why you think the patient has a mental illness and needs treatment.</p> |
| What led to you receiving mental health treatment | <p>Provide a short summary of what led to the patient initially receiving mental health treatment and their most recent hospital admission. Include the dates of their first and most recent admissions and times when they have been a voluntary patient</p> |
| Why we think you have a mental illness | <p>Explain why you think the patient meets the definition of having a mental illness in the <i>Mental Health and Wellbeing Act 2022</i> by describing their experiences of significant disturbance of thought, mood, perception and/or memory.</p> <p>You can provide a diagnosis but do not have to. If you do, also summarise the patient's views about the diagnosis.</p> <p>(Approximately 400 words).</p> |
| Why we think you currently need treatment | <p>Address treatment criterion 143(b) in the <i>Mental Health and Wellbeing Act 2022</i> by explaining:</p> <ul style="list-style-type: none"> • Why the patient needs treatment to prevent a serious deterioration to their mental or physical health or serious harm to themselves or someone else • What treatment could help address these matters and how <p>(Approximately 400 words).</p> |
| Will treatment be provided if you are on a Treatment Order? | <p>Explain the medication and other treatment and support you would like to provide to the patient and how you will provide it if they are on a Treatment Order. This addresses treatment criterion 143(c) in the <i>Mental Health and Wellbeing Act 2022</i>.</p> |
| Why we think a Treatment Order may be the only way you will receive the treatment you need | <p>Explain why you think treatment needs to be compulsory and why voluntary treatment is not possible. This addresses treatment criterion 143(d) in the <i>Mental Health and Wellbeing Act 2022</i>.</p> |
| Views of your family, friends, carers or guardians | <p>Identify the patient's support people, how you have involved them in treatment planning and other discussions, and what they have said about the patient's treatment and support they can provide.</p> |
| Recommendation to the Tribunal | <p>Recommend a treatment order duration in weeks and a setting for the treatment (community or inpatient).</p> <p>Don't restate why you think the patient meets the criteria for a Treatment Order.</p> |