



# HM Courts & Tribunals Service

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TO THE CHAIR OF THE MENTAL HEALTH LAWYERS  
ASSOCIATION

Neil Cronin, MHLA Chair

04 April 2024

Dear Mr Cronin

**Subject: Safety and security in hospitals and trusts**

Following some significant security concerns raised at a national level, His Majesty's Courts and Tribunals Service (HMCTS) has been reviewing safety measures across the courts and tribunals estate and where judicial hearings take place. This includes the hospital and trust premises where we hold mental health hearings. To this end, HMCTS has written to some 820+ MH hearing venues asking them to confirm that the rooms we use on their premises comply with the minimum safety and security requirements and published guidance for tribunal hearings.

While the survey is still ongoing, thus far over 150 have replied to say that they cannot comply with those minimum requirements.

HMCTS has today therefore taken the difficult decision to suspend all face-to-face hearings at Mental Health venues where they have indicated they are not compliant or have not replied to say they are compliant. This will apply until HMCTS has a clearer picture of what the issue is for each hospital and how quickly the issues can be resolved

Cases will be listed as 'Video Hearing Only' for the time being in those venues.

In those venues that are compliant, patients shall continue to be able to opt for face to face or video hearings and we shall continue to add to that list as the responses are returned or we are otherwise satisfied of the safety measures deployed.

As we trust you will understand, HMCTS has taken this decision to comply with its obligation to assess health and safety risks in relation to both the judiciary and others who may be affected.

If there is a particular medical or other reason that the patient cannot have a VH hearing, we would ask representatives and members of your association to make an application setting out the reason. The matter will then be referred to a District Tribunal Judge to give listing directions, which may include reasonable adjustments or a transfer to a suitable hospital.

By way of reassurance, experience shows that the vast majority of tribunal hearings that take place face-to-face in hospitals or trust premises are safe. They generally pass

without incident. Panel members however are not expected to discharge their duties in an unacceptable or potentially unsafe environment, and it is for this reason that this review is necessary.

I attach a letter that the President of the Chamber is sending to all Chief Executives this week. I also attach a copy of the minimum requirements for tribunal hearings held in hospitals and a copy of the checklist we are seeking assurances on.

The proposed listing regime will come into effect from Monday 8<sup>th</sup> April 2024.

If you have any immediate questions, please contact Julia Hopkins at [julia.hopkins@Justice.gov.uk](mailto:julia.hopkins@Justice.gov.uk).

Yours sincerely,

**Julia Hopkins**  
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