



HM Courts &
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First Tier Mental Health Tribunal
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From: Judge Johnston, Deputy Chamber President,
First Tier Tribunal, Mental Health

Advice to representatives on the listing of Mental Health Tribunal hearings after 18 September 2021 and the return of PHEs.

Good afternoon,

Firstly, thank you all so much for your cooperation over the last 18 months. Without your cooperation and dedication, we would not have been able to hold hearings in the numbers that we have. We appreciate this enormously.

I am writing to set out the next changes as we move back to some semblance of normality. The Amended Pilot Practice Direction of the Senior President of Tribunals was extended until 18 September 2021. It is not going to be extended further.

What this means is that PHE's in section 2 cases will return unless the patient tells us that they do not want a PHE. In all other cases the patient should tell us that they want a PHE in the usual way 14 days before the hearing.

To enable us to list cases with PHEs we have agreed a listing process. All section 2 PHEs will be conducted on the day of the hearing at 9am. This means that the patient will log into the CVP link at 9am to enable the PHE to be conducted. All section 2 hearings will be listed in the morning.

In all community cases i.e. those patients subject to a CTO or conditional discharge the PHE will also be held in the CVP room at 9am. All community cases will be listed in the morning. Again, this means the patient and the Medical Member will log into the CVP room at 9am.

For all other cases the PHE will be arranged by the Medical Member before the day of hearing via MS Teams where practicable.

Please ensure we have the request for a PHE at least 14 days before the hearing. If you are able to let us know earlier than 14 days before the hearing that will be helpful. The longer we have to arrange a PHE the more likely it is that it will be practicable.

Again, thank you for your cooperation.

First tier Tribunal

Mental Health