



**HM Courts  
& Tribunals  
Service**

**First-tier Tribunal Health, Education and Social Care Chamber  
Mental Health jurisdiction**

**REQUIREMENTS FOR VIDEO TRIBUNAL HEARINGS**

**INTRODUCTION**

The tribunal hearing is a judicial process, therefore the facilities provided must, so far as is possible, reflect the judicial nature and importance of the proceedings and the independent function of the tribunal panel. This is particularly important in video hearings, where it is easier to lose sight of the formal nature of the proceedings.

Hearings must be fair to all parties and patients must be enabled to participate effectively. Responsible Authorities have a legal duty to cooperate with the tribunal to make sure this happens. Being able to see and hear the participants clearly is fundamental to successful video hearings. To this end, the tribunal administration will monitor compliance with these standards. If video hearings are to continue at a particular hospital venue, Trusts must ensure that proper arrangements are in place.

There are separate requirements for hearings taking place face to face in hospital. (include document link)

If MHA administrators have any difficulty with adherence to the standards in this document, please keep the tribunal informed by email to [MHMembersfeedback@justice.gov.uk](mailto:MHMembersfeedback@justice.gov.uk).

**STANDARDS FOR VIDEO HEARINGS**

1. The room from which the patient, nurse and others take part should be in a quiet part of the building, where interruptions and distractions are unlikely.
2. The room should be of a size adequate for the number of people expected to attend, including the patient's legal representative, who may be present. Appropriate seating must be provided for all expected attendees.
3. There should be a table in the room so that the representative can make notes and have documents to hand.
4. While coronavirus remains an issue, the room should be large enough to allow for social distancing of the attendees and be well ventilated and adhere to local Trust policies or procedures. which may change
5. Any room used must have a reliable WiFi / broadband connection.
6. The IT equipment used to connect to the CVP hearing must:
  - Have clear audio so that the panel can hear all participants at the hospital and they can clearly hear the panel;

- Have clear video so the panel can see all participants at the hospital and they can clearly see the panel.
  - The device that is to be used to connect must be tested in the applicable room prior to the hearing date using the test room function.
7. The room must have a conference telephone so that if the video connection fails, the nurse phone into the hearing without delay.
  8. Nursing staff must be properly trained in how to connect to video hearings.
  9. Nursing staff and others attending remotely must join promptly 15 minutes before the scheduled start time, so that any technical problems can be resolved.
  10. All concerns from tribunal members about video hearings should be reported to the Deputy Chamber President's office by email to: [MHMembersfeedback@justice.gov.uk](mailto:MHMembersfeedback@justice.gov.uk) specifying:

- Name of hospital
    - Date of hearing
    - Details of the problem
    - Whether the problem was resolved
    - Whether the hearing proceeded
    - Suggestions for resolving any outstanding issues
  11. Any concerns raised by panel members will be addressed directly with the Mental Health Act Administrator and, if unresolved, will be escalated to the CEO.

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