

# Writing reports for Tribunal hearings

A guide for treating teams

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## The purpose of reports

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

- explain why you think the patient needs compulsory treatment to the patient and the Tribunal in a way that 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 a great report:

- **Help the patient prepare** – Talk to the patient about their preferences, the Mental Health 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 it as if it was a letter to the patient (except the 'Background information for the Tribunal' section which should be written to the Tribunal)
- **Write sensitively and respectfully in plain English**
- **Make it clear why you think the patient needs compulsory treatment**
- **Provide facts to support your reasoning** such as relevant events in the patient's history and examples of their past behaviour and things they have said
- **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 Act 2014*, you must give the patient a copy of the report at least 2 days before the hearing. This is for fairness and gives the patient time to prepare for the hearing.

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

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## What to include in the report

Part of the report	What to include
<b>Background information for the Tribunal</b>	<p>Provide a brief patient history for the Tribunal including their culture, family, significant relationships, education, work, housing, relevant substance abuse and health problems, and supports the patient has in the community (approximately 200 words).</p> <p>Discuss this part of the report with the patient to avoid errors.</p> <p><b>Don't include history of the patient's mental health here.</b> 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>
<b>Why we think you have a mental illness</b>	<p>Explain why you think the patient meets the definition of having a mental illness in the <i>Mental Health Act 2014</i> by describing their experiences of significant disturbance of thought, mood, perception and/or memory.</p> <p>You do not have to provide a diagnosis.</p> <p>(Approximately 400 words).</p>
<b>Why we think you need treatment</b>	<p>Address treatment criterion 5(b) in the <i>Mental Health Act 2014</i> by explaining:</p> <ul style="list-style-type: none"> <li>• Why the patient needs treatment to prevent a serious deterioration to their mental or physical health or serious harm to themselves or someone else</li> <li>• What treatment could help the patient and how</li> </ul> <p>(Approximately 400 words).</p>
<b>Will treatment be provided if you are on a Treatment Order?</b>	<p>A statement confirming you will be able to provide the patient with treatment. This addresses treatment criterion 5(c) in the <i>Mental Health Act 2014</i>.</p>
<b>Why we think a Treatment Order may be the only way you will receive the treatment you need</b>	<p>Explain why you think the patient may need to receive compulsory treatment and why voluntary treatment is not possible. This should address treatment criterion 5(d) in the <i>Mental Health Act 2014</i>.</p>
<b>What you have told us about your views, preferences, hopes and goals</b>	<p>Provide the patient's stated views about their treatment and their goals more broadly to help the Tribunal understand their perspective. Consider writing this part of the report with the patient to avoid errors.</p> <p>Include how you can work towards the patient's views and preferences.</p>
<b>Views of your family, friends and carers</b>	<p>Provide what family members, friends and carers of the patient have said about the patient's treatment, whether it should be compulsory and how they can to support the patient in a sensitive way.</p>
<b>Recommendation to the Tribunal</b>	<p>Recommend a treatment order duration and provide a simple explanation of why you think it would be an appropriate duration.</p> <p><b>Don't restate why you think the patient meets the criteria for a Treatment Order.</b></p>