



What to expect at my Mental Health Review Tribunal hearing

What is a MHRT hearing?

The Mental Health Review Tribunal (known as the **Tribunal** or the **MHRT**) is an independent decision-making entity. It is not a part of any health service or treating team.

At an MHRT hearing, the MHRT will make a decision about your involuntary authority/order. The people who make the decision are called members. Members may be lawyers, doctors or community members. A community member is a person who is not a doctor or lawyer and has relevant experience to help make the decision.

The MHRT listens to the information from you and your treating team. The MHRT decides:

1. whether or not you need to stay on your authority/order; and
2. where you receive your treatment and/or care (e.g. whether or you need to stay in hospital as an inpatient).

For people on a forensic order, the MHRT will also usually decide:

1. for patients in hospital, how much leave in the community they may have; and
2. the conditions on the order (e.g. what the person can and cannot do).

The MHRT cannot make decisions about your medications or medication dosage.

How will I know when my hearing is and do I have to go?

You will receive a notice in the post that tells you when your hearing is and where it will be held.

Hearings are generally held at your local hospital or community mental health centre. Your hearing may be held face to face or over telephone or video conference. If you would like to attend by telephone or video conference, please contact the MHRT.

You don't have to go to your hearing, but it is a good chance for you to have your say. You don't have to go to your hearing alone. You can take a carer, family member or friend to support you. If you can't make it to the hearing, you can still give your views to the MHRT through the self-report form or by sending an email or letter to the MHRT. If you don't go to the hearing, the MHRT may still make a decision.

What should I do before my hearing?

If you would like to complete a self-report form, you should fill it in before your hearing. A copy will be sent to you by post before your hearing. You can get help to fill out this form from your carers, family or friends. You can send this form to the MHRT before your hearing or give it to them on the day.

Your treating team have to write a report about your illness/disability and progress. They must give you a copy at least 7 days before the hearing. You should read this and if you have any questions



you can ask your treating team. You can also comment about it in your self-report. You can get help reading this report from your carers, family or friends.

You may wish to speak with your nominated support person/s or other people in your support network about attending the hearing with you. You may also like to organise a lawyer to represent you, although this is not required. In certain circumstances the MHRT will appoint a lawyer for you. If this is the case, the lawyer will contact you directly. For more information about representation at your hearing, visit the MHRT's website or ask your treating team.

What happens at my hearing?

An MHRT hearing is not as formal as a court. You will likely be sitting around a table in a meeting room.

At the hearing there will be between two and four MHRT members as well as people from your treating team. You may also have a support person and legal representative with you. The MHRT members will either be in the room with you or may be joining the hearing by telephone or video link. If you are at your hearing for a forensic order or fitness for trial review, a representative of the Attorney-General's office may also attend; their role is to represent the community interest.

The hearing is a private matter, so people not involved in your treatment, care or support cannot be in the room.

The members will introduce themselves to you so you know what names to call them. There is no need to use formal terms such as "Your Honour".

The MHRT members will speak with you, your support person and your treating team by asking questions about how you are progressing. You will always be given the chance to tell the members your views. You may wish to talk to them directly, through your representative, or both. Your treating team will be asked to give their opinion of your progress, treatment and care needs and recovery.

The MHRT members may then ask you, your treating team and any others to leave the room briefly while they make their decision. You and all other attendees will then be invited back into the meeting room. The MHRT may either tell you their decision then or they may choose to make their decision at a later time. In either case, a decision in writing will be posted out to you within seven days.

What happens after my hearing?

You are able to request a written statement of reasons for the decision. How to do this is set out in the information posted to you with the decision or you can contact the MHRT directly.

You may have the right to appeal the decision made by the MHRT to the Mental Health Court within 60 days of the decision. Further information on this can be obtained through the Mental Health Court Registry on (07) 3082 0554 or by email registrarmhc@health.qld.gov.au.

For further information

For further information about the MHRT, please see the MHRT's website: www.mhrt.qld.gov.au.