



Information sheet

Interpreters appearing in Tribunal hearings – relevant background information

The Mental Health Review Tribunal (Tribunal) conducts hearings to review involuntary treatment orders or hear applications under the Mental Health Act 2016 (Act). The Tribunal panel will conduct the hearing and obtain evidence to be able to make a decision in relation to the order or application being heard. They may do this by asking questions of attendees or discussing documents provided to the Tribunal.

Tribunal panels will aim to conduct a hearing with as little formality as is necessary but there may be terms that are unfamiliar outside of a hearing. This information sheet contains some of the more common terms that may be helpful to know when engaged as an interpreter for a Tribunal hearing.

There may be a number of people at a hearing including:

- the person themselves – the person receiving mental health treatment who is subject to the order
- legal representatives
- support persons for the person subject of the hearing (for example family or friends)
- members of the treating team
 - authorised doctor/psychiatrist, registrar, social worker, nurse
 - members of the treating team may have the title forensic liaison officer (FLO) or case manager (CM)
- the people from the Tribunal making the decision (may be called ‘the panel’ or members)

Types of orders reviewed/hearings conducted

- treatment authority (TA) – an order made by a doctor at an Authorised Mental Health Service that allows for the person to be treated for a mental illness without their consent. A treatment authority can be revoked by either the Tribunal or an authorised psychiatrist
- forensic order (FO) – an order made by the Mental Health Court where a person has been diverted from the criminal justice system due to a person either being of unsound mind when they committed an offence or are unfit for trial. A forensic order can only be revoked by the Tribunal or the Mental Health Court. Like a TA, a forensic order allows a person to be treated for a mental illness without consent. In addition, if the person has an intellectual disability, it allows for them to be given care for that disability without consent.
- treatment support order (TSO) – an order similar to a forensic order that can be made by either the Mental Health Court or the Tribunal. A treatment support order can only be revoked by the Tribunal or the Mental Health Court. Like a TA, a treatment support order allows a person to be treated for a mental illness without consent.



- The Tribunal also hears applications to perform electroconvulsive therapy (ECT). These applications will be made by a doctor in relation to a patient. Information about what ECT is can be found on the Tribunal website at (<https://www.mhrt.qld.gov.au/information-about/electroconvulsive-therapy>)

Decisions of the Tribunal

At a hearing the Tribunal will make a decision in relation to the order or application and will usually communicate this decision at the end of the hearing.

- Confirm the order/authority – this means that the order will continue or remain in force
- Revoke the order/authority – this means that the order will stop. The Tribunal may make another order if they revoke either a forensic order or a treatment support order to effectively replace the revoked order.
- For an application to perform ECT, the Tribunal may decide to:
 - **approve** the application for treatment or
 - **refuse** the application
- Adjourn the hearing – this will effectively pause the hearing until it can be relisted (usually within 28 of the adjourned hearing)

Useful terms and commonly used phrases at Tribunal hearings

At a hearing and depending on the type of hearing there will be a number of things that the Tribunal will want to discuss to be able to make a decision.

- Authorised mental health service (AMHS) – the health service in Queensland responsible for the treatment and care of a patient
- Clinical report – a report prepared by the patient’s treating psychiatrist with updates on their recent history, response to treatment and mental state
- Conditions – are terms that are listed on an order that say what a patient can do or cannot do
- Category – the category of an order determines where the person is able to receive treatment and care under their order.
 - Inpatient category means that a person must be in an inpatient unit while they are receiving treatment and care (at a hospital)
 - Community category means that a person may be in the community while they are receiving treatment and care (for example residing at their home or a community care unit)
- Limited Community Treatment – terms on an order that set out how and when a patient may access the community while they are an inpatient/on an inpatient category. For example they may be allowed to leave the hospital in a hospital worker for a certain number of hours per day. This might also be called ‘leave’.
 - Escorted leave – this type of leave will be in the physical presence of a employee of an authorised mental health service
 - Supervised leave – this type of leave will be with a person either from the authorised mental health service or another nominated person



The Tribunal website has short videos that explain the hearing process and show what a hearing will look like. These can be found at <https://www.mhrt.qld.gov.au/information-about/your-tribunal-hearing> or by scanning the QR code below:

