

NOTE OF MEETING
MHTS Professional Reference Group
Thursday 4th March
State Hospital, Carstairs

Attendees

Dr Joe Morrow	President, Mental Health Tribunal for Scotland
Russell Hunter	Legal Secretary, Mental Health Tribunal for Scotland
Paul Smart	Head of Administration, Mental Health Tribunal for Scotland
Fiona Currie	Scottish Government Mental Health Division
Andy Strachan	Legislation Nurse Advisor, Greater Glasgow & Clyde Health Board
Irene Whyte	Health Records Manager, Greater Glasgow & Clyde Health Board
Annie McGeeney	MHO, South Lanarkshire Council
Dr Paul Myatt	Psychiatrist, State Hospital
Dr Colin Gray	Psychiatrist, State Hospital
Morag Slesser	Psychologist, State Hospital
Agnes Ferrie	Note Taker, Mental Health Tribunal for Scotland

1. Welcome and introduction

Dr Morrow opened the meeting and thanked everyone for attending. The attendees then introduced themselves.

2. Apologies

Denise Coia	Scottish Government Mental Health Directorate
Dr James Hendry	Royal College of Psychiatrists
Stuart Lennox	Association of Directors of Social Work
Dr Donald Lyons	Mental Welfare Commission
Dr Margaret Morrison	Scottish Government Forensic Psychiatry
Dr Mark Taylor	Royal College of Psychiatrists
Mike Baxter	North Lanarkshire Council

3. Matters Arising from previous minute

Dr Morrow advised everyone that a Note of the Meeting (not Minutes) would be issued after sign off by him.

4. CMS Development

Dr Morrow informed the group that when MHTS was set up two pieces of software were commissioned – CMS (Case Management System) and Webroster (on-line scheduling system). MHTS would now like to improve both these systems by merging them into one system which could be used to deal with applications,

schedule hearings and record decisions. Discussion followed on paperwork and the responsibility of the Tribunal to provide this.

5. On-line Applications

MHTS would like to encourage more electronic applications and is at an early stage of looking at on line applications. MHTS wants to improve how it communicates with various parties ironing out inefficiencies particularly associated with distributing paperwork by mail/courier. Dr Morrow informed the group he was also looking at more effective ways of dealing with misconceived applications.

6. Equalities

Dr Morrow advised the group of the review by the Scottish Parliament's Equal Opportunities Committee of the impact on equality of the implementation of the Mental Health (Care and Treatment) (Scotland) Act 2003. A number of organisations have been asked to give evidence to the committee including MHTS. MHTS has also prepared a written submission for the committee. The review has raised the profile on how we promote the legislation and the need to tackle discrimination that may be experienced by those who are mentally ill. MHTS of course is part of a larger system of care and support and each part of that system shares a joint responsibility for promoting equality and tackling discrimination. Dr Morrow proposed that colleagues should take a collaborative approach so that we can together improve on the promotion of equality. It was agreed that there should be more data collection and analysis and that there should be a partnership approach to this. Further discussion followed on the impact of the legislation and equality monitoring. The committee hearing has been rescheduled for 16 and 23 March 2010.

7. Recorded Matters

Dr Morrow reported that Members training should be complete in one month's time and a Guidance Note will be placed on the Tribunal's website. The training is heightening awareness of the process for Members. Dr Morrow also advised the group that Recorded Matters were not applicable to CORO cases; he has encouraged Sheriffs to make 'observations' in these cases.

8. State Hospital Issues

Dr Morrow referred the group to 2 year review cases. MHTS has been looking at the number of cases adjourned and the reasons for this. The main reasons have been Counsel availability and late lodging of material. Dr Morrow advised the group that parties should be prepared or alert the Tribunal as soon as possible if requesting an adjournment.

Dr Myatt referred to a case where the psychologist had been criticised and asked for guidance on risk / management of risk. Dr Morrow confirmed that Risk Assessment would be included on the Training Programme this year. Dr Morrow will ask the Training Committee to contact Dr Myatt.

Action: Dr Morrow

The management of victim issues was raised. Dr Morrow confirmed he thought there should be a Victim Notification Scheme for victims of MDOs. He understands that the Scottish Government had been considering how best to proceed but he was conscious of the fact that this remained as unmet need. The SG is intending to consult on how best to proceed, but there is no indication yet of when this might happen. Paul Smart advised the group of the Victim Notification Scheme for criminal cases where victims can make written representations to the Parole Board but are not invited to attend its hearings.

Ed Finlayson asked Dr Morrow about payment of expenses under paragraph 16 of schedule 2 to the 2003 Act.

Dr Morrow confirmed that he can authorise expenses under that provision.

Dr Gray asked if further information was needed for Named Persons in carrying out their role. Dr Morrow confirmed that the Guidelines should make this clear.

9. Lanarkshire Issues

Dr Morrow confirmed there was potential for ongoing links with Case Managers and the President's Office. MHTS cannot give advice but can give a view of the situation. Electronic communications, the Memorandum of Understanding etc were a good way of building links.

Andy Strachan asked if the Tribunal could provide data on the number of applications sent in by Greater Glasgow & Clyde Health Board by taxi or courier. Paul Smart confirmed that MHTS will provide data.

Action: Paul Smart

Andy Strachan advised that the staff at Rowanbank Clinic had raised the issue of how they were being treated at tribunal hearings. Dr Morrow and Russell Hunter volunteered to go along to give a talk to staff on what they can expect and what is expected of them at tribunals.

Action: Dr Morrow / Russell Hunter

11. Date of next meeting

The next meeting of the Professional Reference Group will be held at The Scottish Government, Victoria Quay, Edinburgh on 20th April 2010 at 1.30 pm.