



Mental Health Tribunal
for Scotland

**Quarterly Statistics
January 2009 - March 2009**

The Mental Health Tribunal for Scotland came into effect on 5 October 2005 with the Mental Health (Care and Treatment) (Scotland) Act 2003.

From that date, the Tribunal was able to accept applications made under the new Act and to hold hearings to determine them. Applications were received from the first date and hearings began the following week.

It has been the Tribunal's practice to publish statistical information on its activities and the applications it receives on a quarterly basis.

During the early part of 2008/09 the Tribunal went through a process of revalidating its statistical reports. Following that revalidation the Tribunal resumed its regular quarterly reports with the previous quarter (October – December 2008). This report is the final report for 2008/09. Due to the revalidation direct comparison between some statistics in this report and those in previous reports is not appropriate.

Readers seeking further background to this report or data which the Tribunal may hold, but which is not published here should contact the Tribunal on 01698 390000.

Adrian Martin
Deputy Head of Administration

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Commentary

New Cases Registered, January 2009 – March 2009

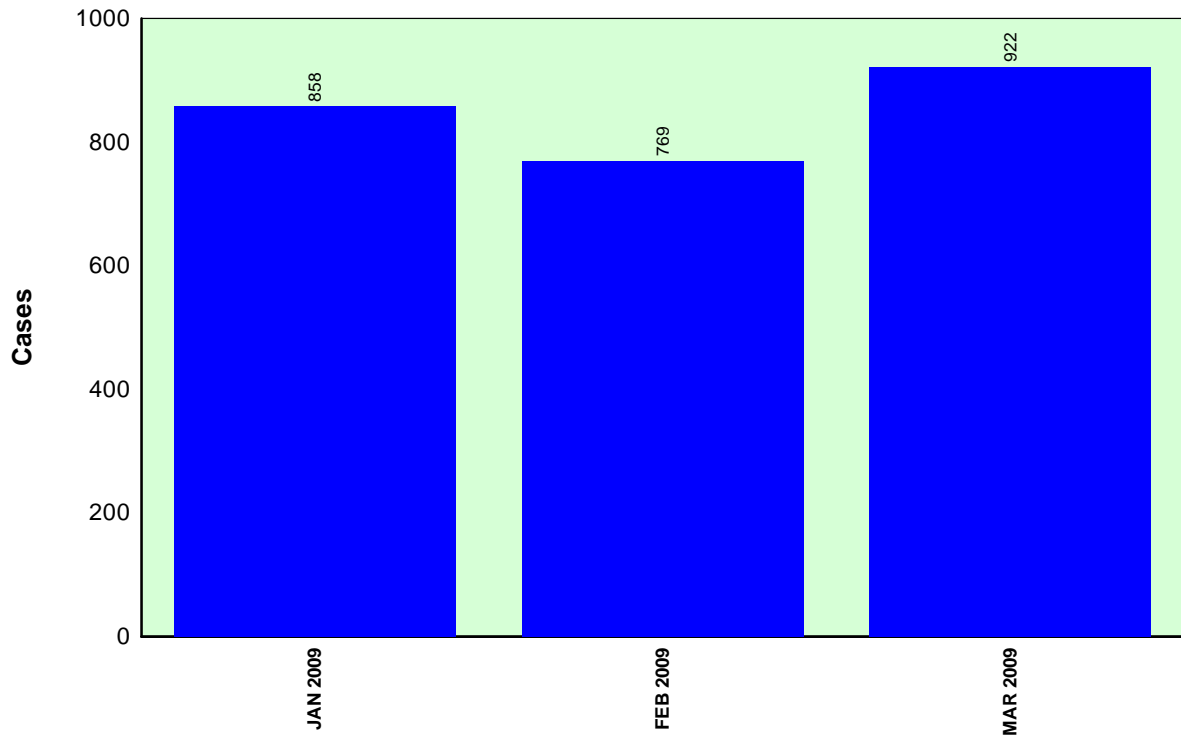


Figure 1. Total New Cases Registered for each month of the quarter (all cases except Enquiries, Complaints, Ethnicity Workflows) registered for each month of the quarter i.e. is all non-administrative cases.

New notifications, January 2009 – March 2009

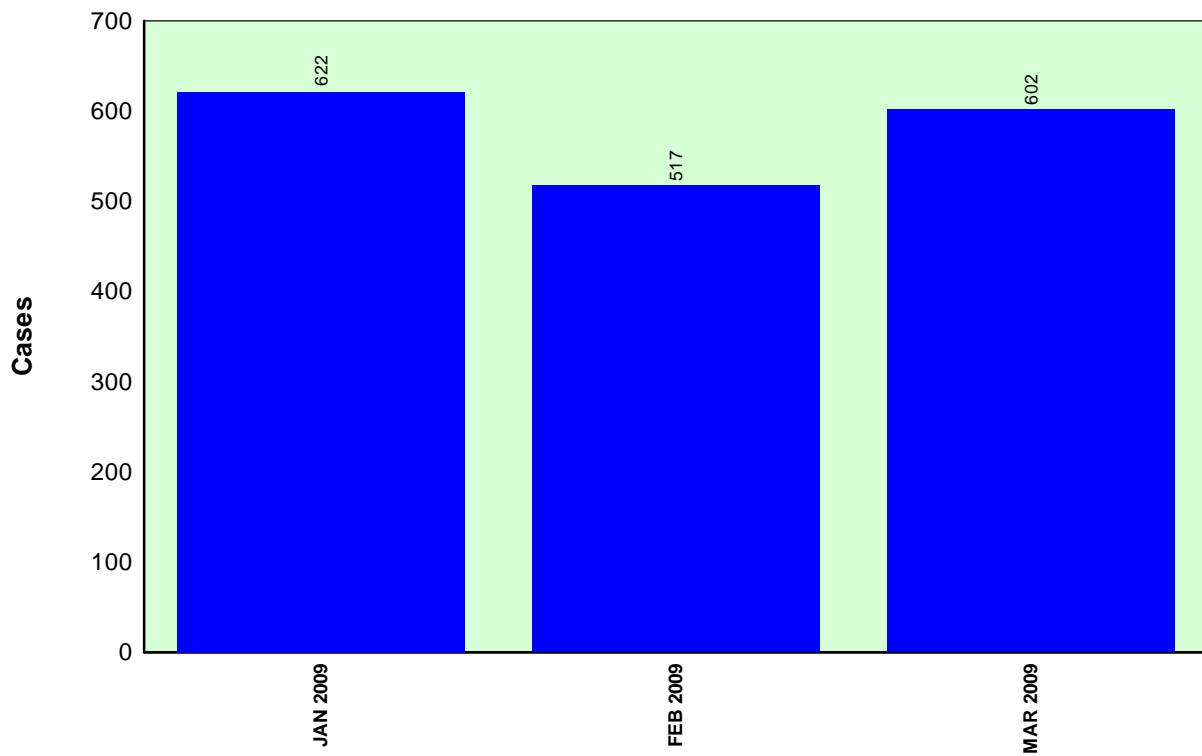


Figure 2. New Notifications.

New Applications, January 2009 – March 2009

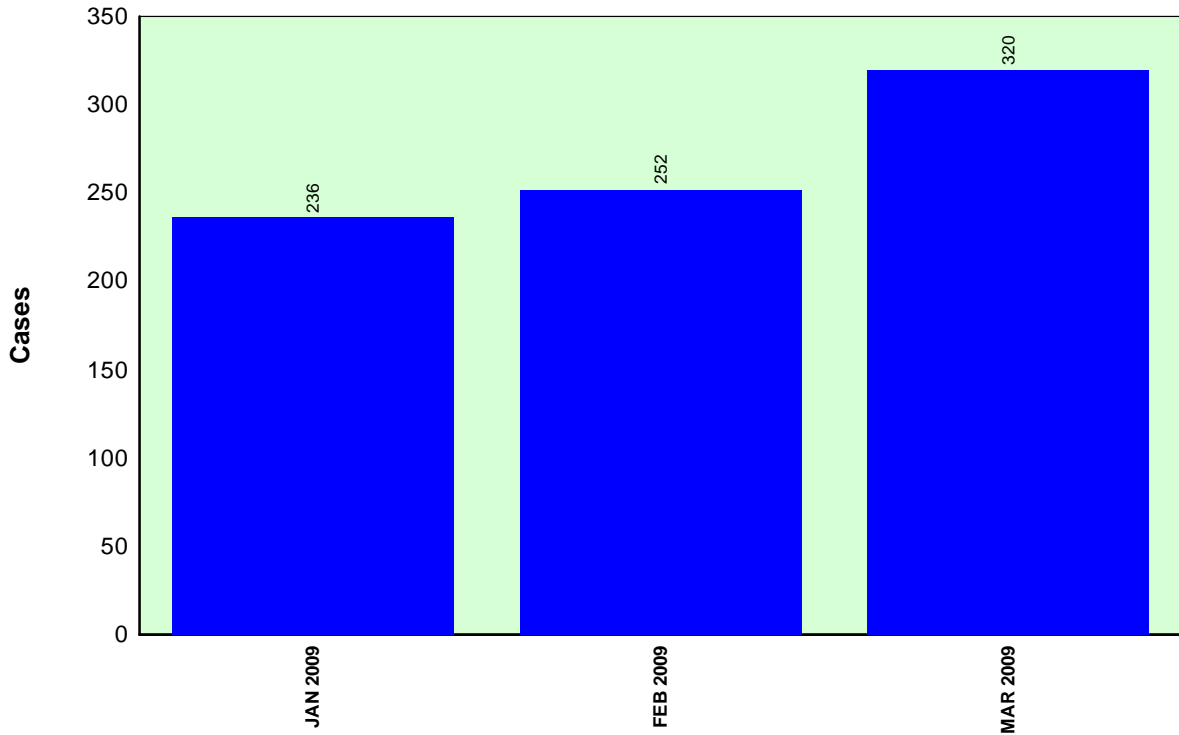


Figure 3. New Applications registered for each month of the quarter (all cases except Notifications, Enquiries, Complaints, Ethnicity Workflow, Transition CTO Workflow, Transition CO Workflow). That is, all cases that should lead to a Hearing.

CTO Applications, January 2009 – March 2009

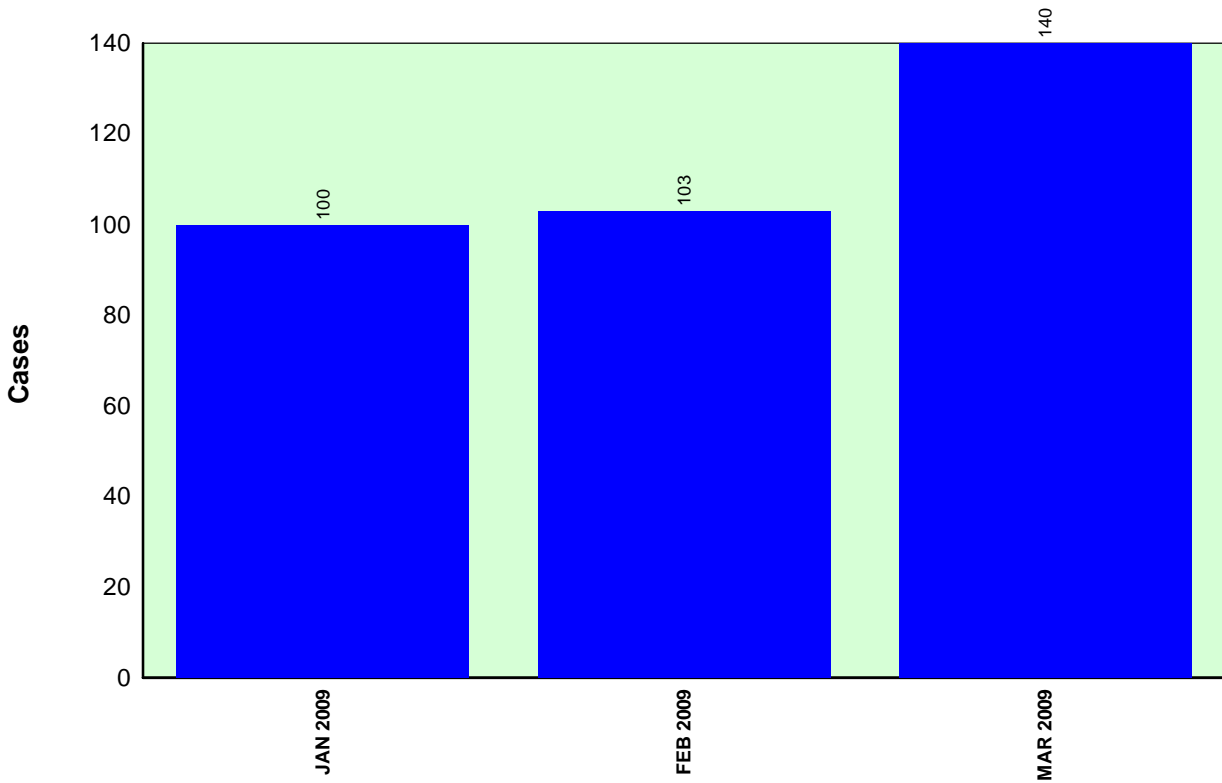


Figure 4. New CTO Applications registered for each month of the quarter.

Number of CTO applications by Local Authority, January 2009 – March 2009

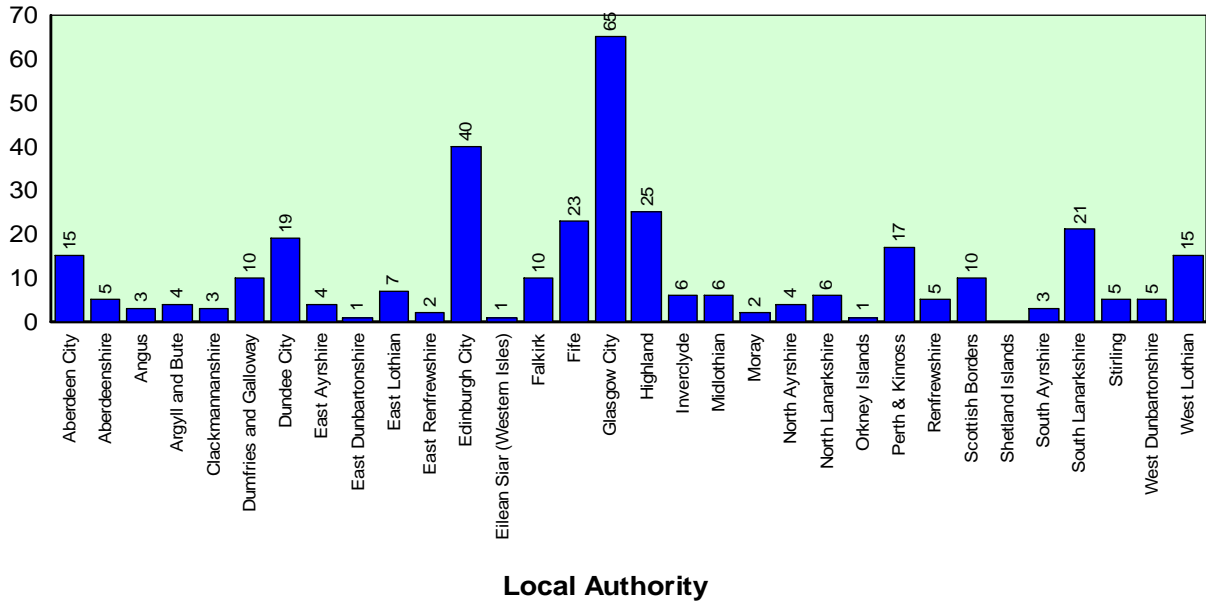


Figure 5. CTO Applications by Local Authority.

Receipt dates for CTOs, January 2009 – March 2009

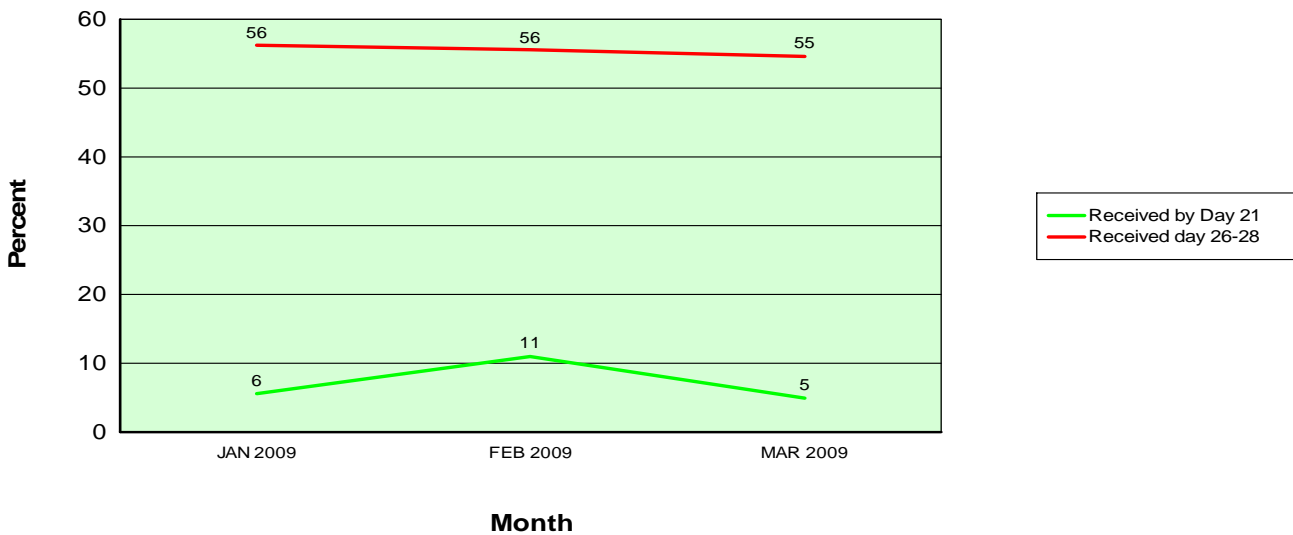


Figure 6. Total CTO Received, Trend

Overall picture of the day the CTO is received at MHTS, the day number refers to the day within the 28 days of the STDC. This graph illustrates the percentage of ‘early’ and ‘late’ applications. It excludes the percentage that come in the middle of the range (and the very small percentage that are received after day 28). The purpose of the graph is to illustrate those applications where the Administration has greater time, allowing more flexibility and will therefore experience little difficulty in arranging hearings and accommodating individual availability, and those where the reverse is true.

Day CTO Received Actual, January 2009 – March 2009

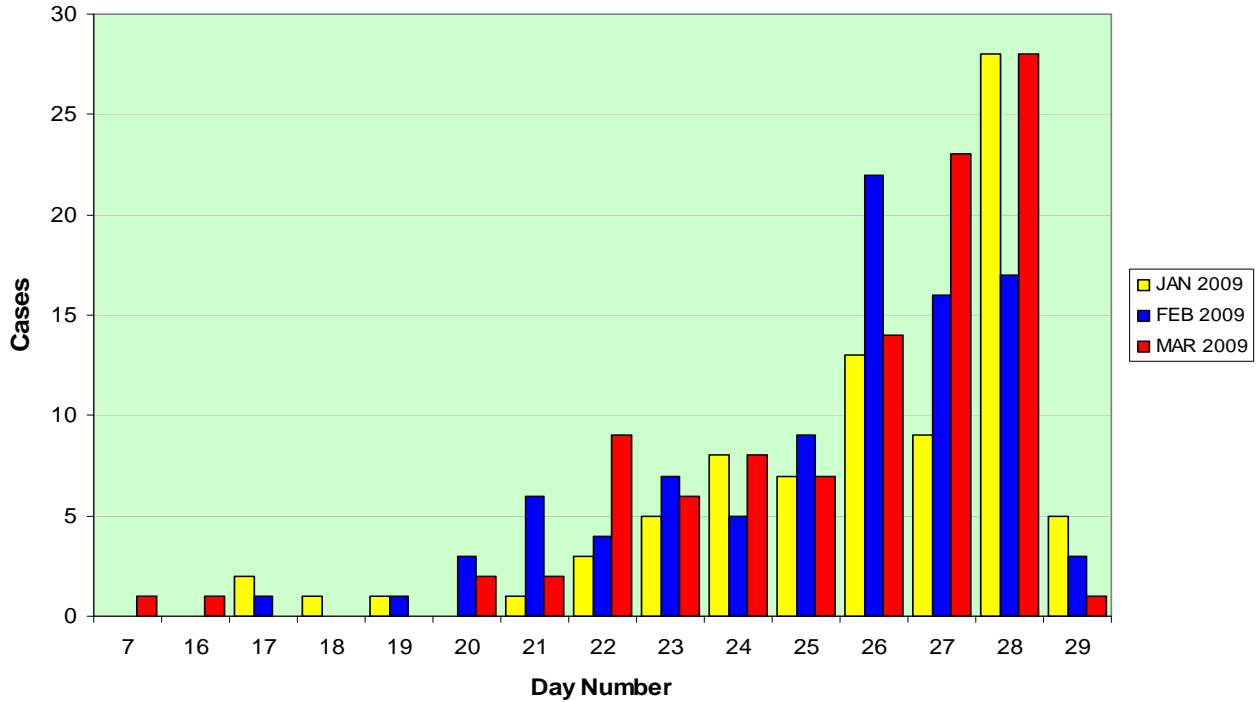


Figure 7. Day CTO Received, Actual

This report is broken down by Month. The day number shown on this report is in reference to the STDC timeline.

Gap between Medical Report 1 and Medical Report 2 by Health Board, January 2009 – March 2009

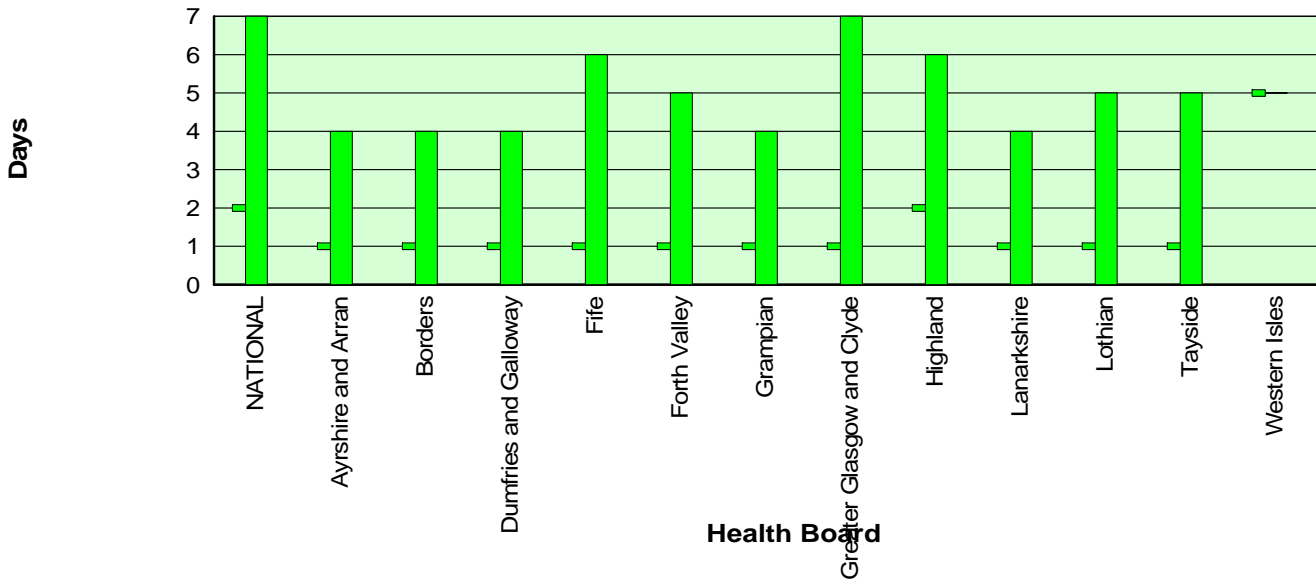


Figure 8. Gap between Medical Report 1 and Medical Report 2 Signatures by Health Board. This report shows the Minimum, Maximum and Average number of days (including non working days) between medical signatures on CTO forms.

Gap between latest medical report and MHO signature, January 2009 – March 2009

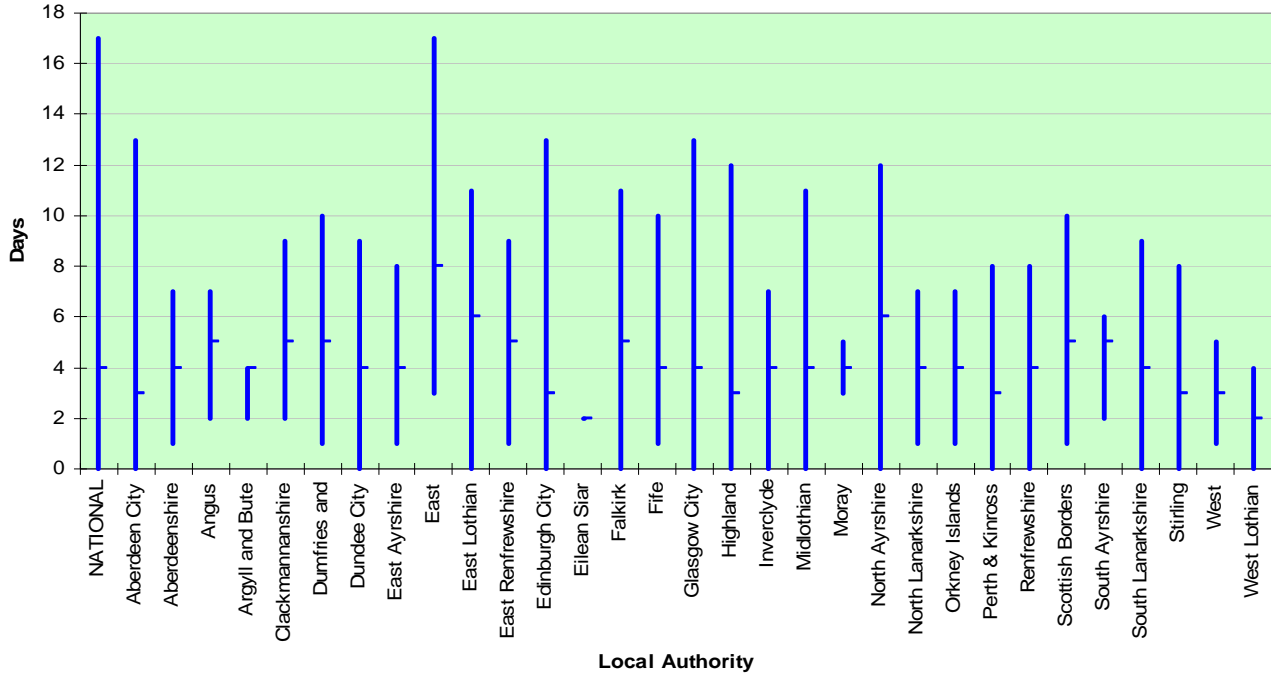


Figure 9. Gap between the Latest Medical Report Signature and MHO Signature

This report shows the Minimum, Maximum and Average number of days (including non working days) between the latest medical signature and the MHO signature on CTO forms. Figures are categorised by Local Authority.

**Gap Between MHO Signature and Date Received by MHTS,
January 2009 – March 2009**

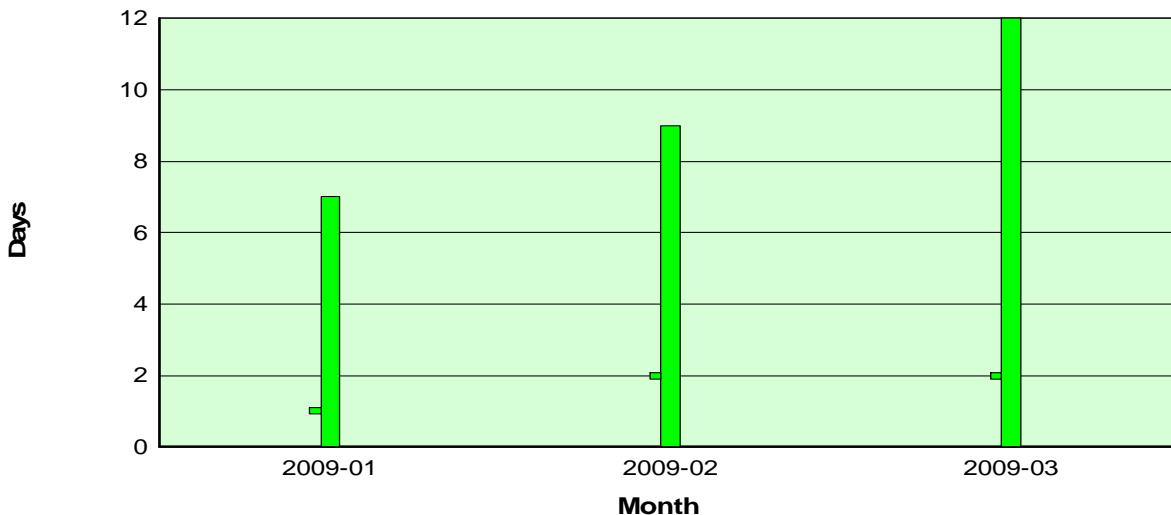


Figure 10. Gap between MHO Signing the Application and Date Received by MHTS

This report shows the Minimum, Maximum and Average number of days (including non working days) between the CTO being completed (MHO signature date on the form) and it being received by MHTS.

Day Number of MHO Signature, January 2009 – March 2009

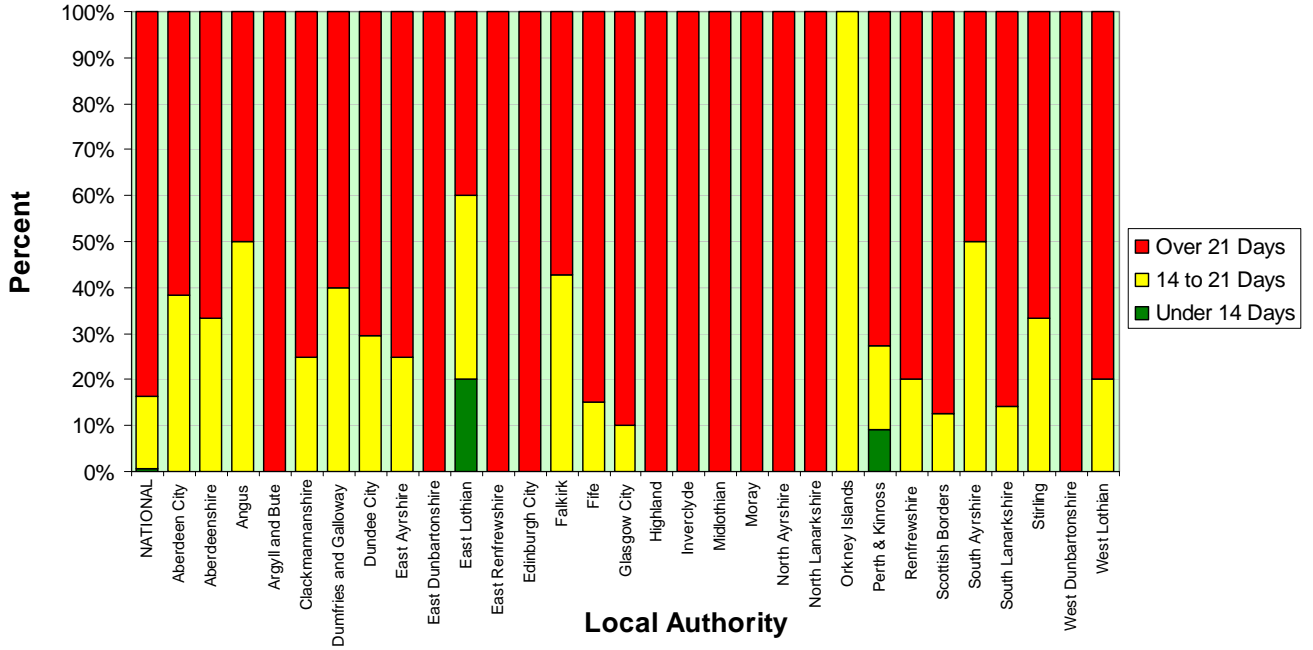


Figure 11. Day Number of MHO Signature

The graph shows a percentage breakdown of the day on which the MHO Signature was completed on the CTO form. The day number is referenced to the expiry date of the STDC, categorised by Local Authority.

Average Day Number of MHO Signature, January 2009 – March 2009

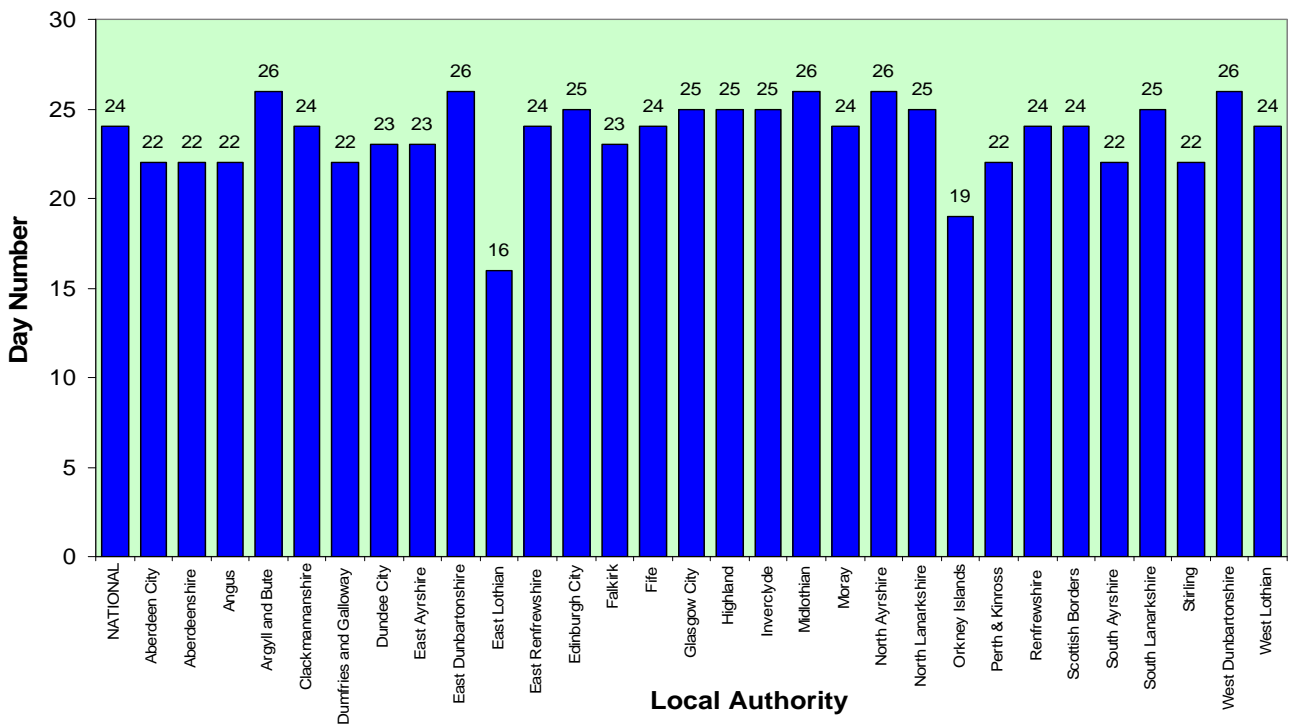


Figure 12. Average Day Number of MHO Signature.

The average day that the MHO signature was completed on the CTO form, categorised by Local Authority. The day is in reference to the STDC timeline.

STDC to CTO conversion, January 2009 – March 2009

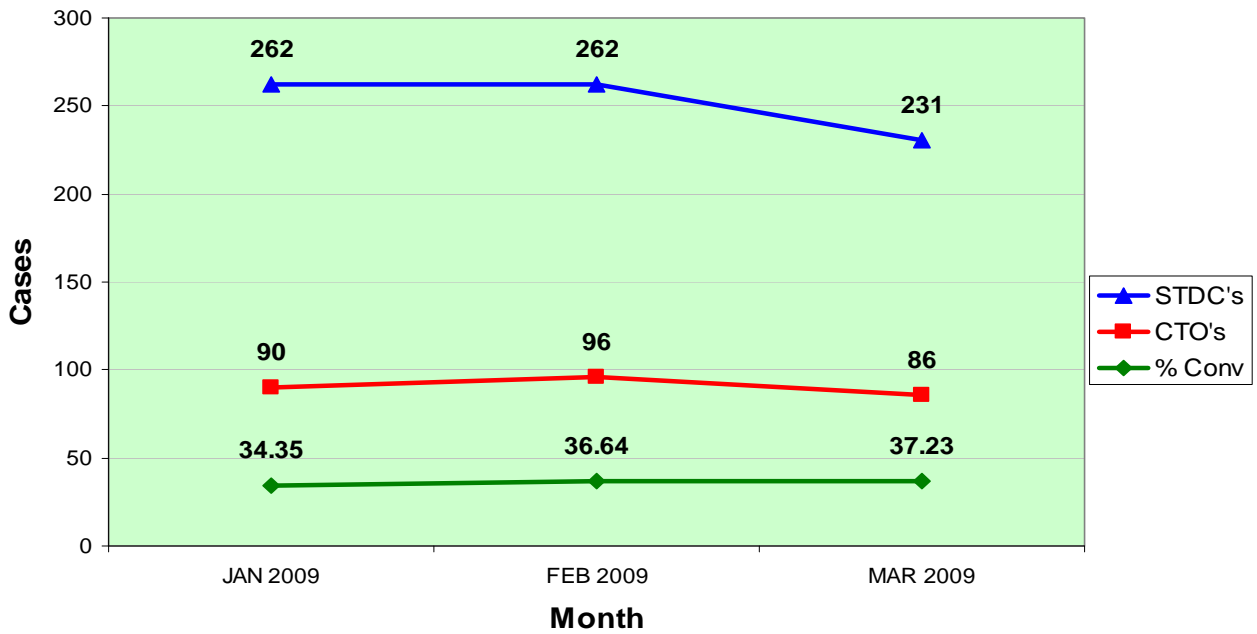


Figure 13. Conversion of STDCs to CTOs by Month.

This report shows the conversion rate from STDC to CTO. The reference data is the date the STDC was received by the MHTS. The date of any resulting CTO is not taken into account, only that the CTO resulted from an STDC.

STDC converted to CTO, by Local Authority, January 2009 – March 2009

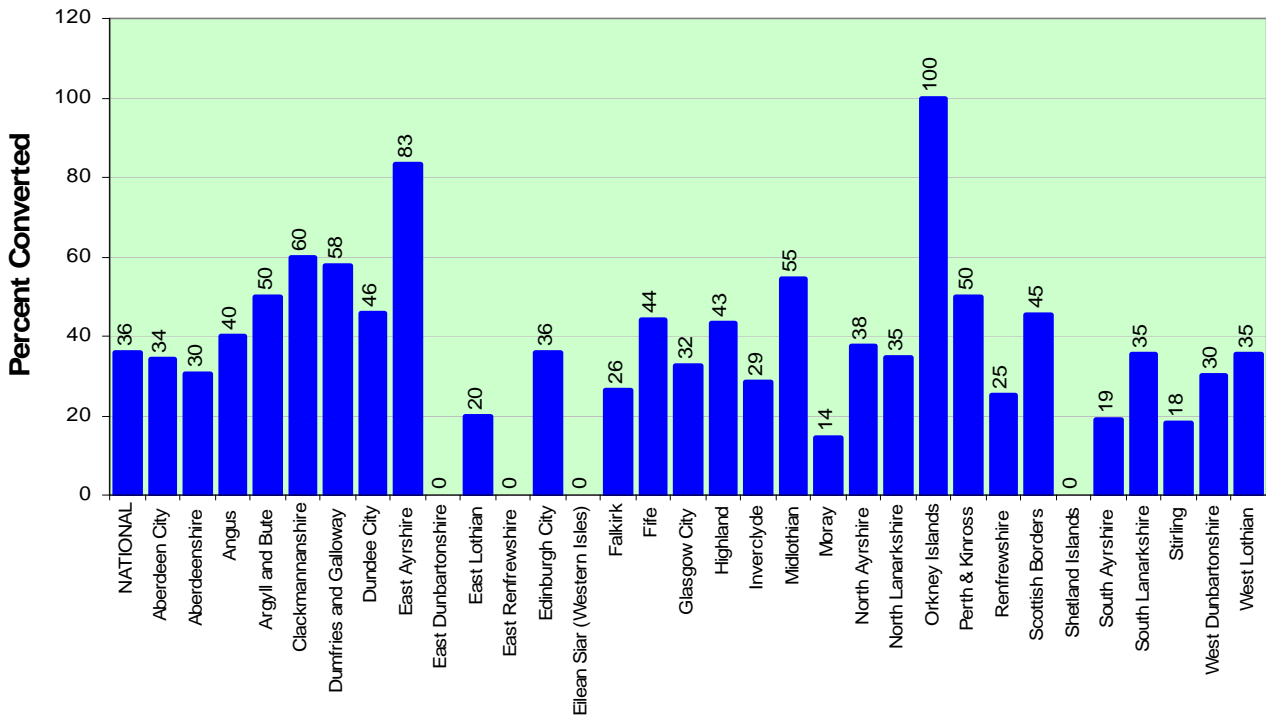


Figure 13a. The graph shows the conversion rate for individual Local Authorities across the quarter.

STDC converted to CTO, by Health Board, January 2009 – March 2009

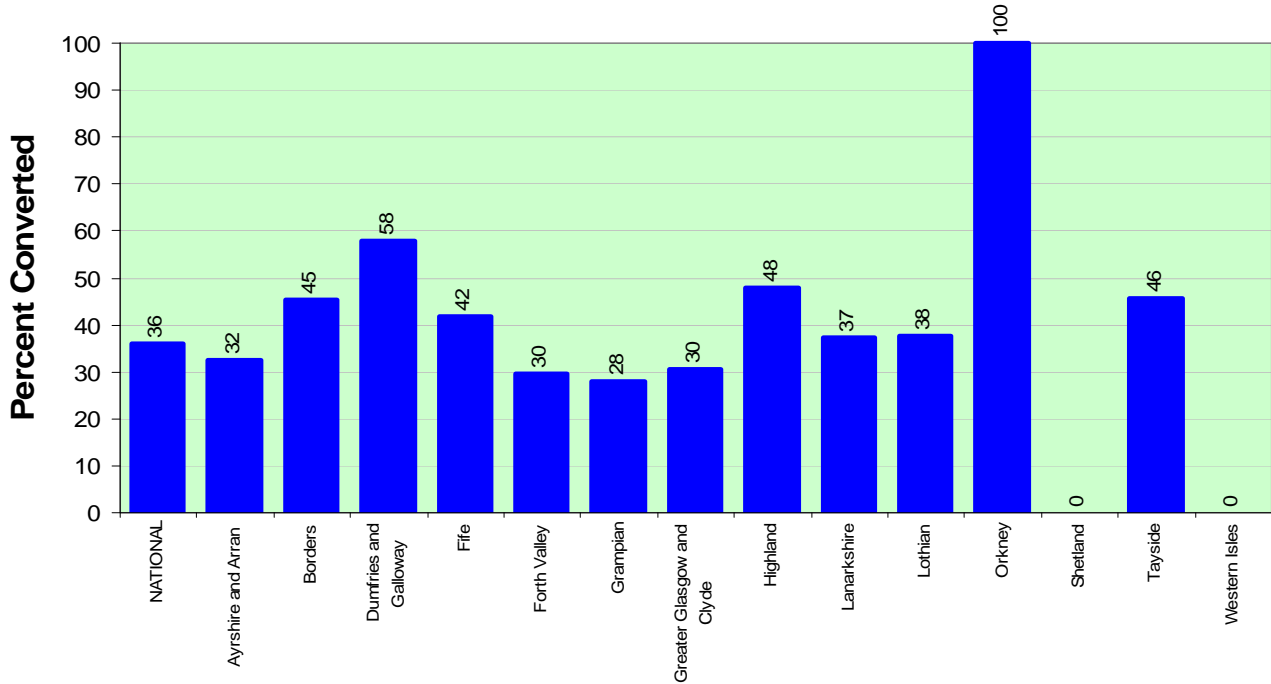


Figure 13b. The graph shows the conversion rate for individual NHS Boards across the quarter.

Forensic Cases by Local Authority, January 2009 – March 2009

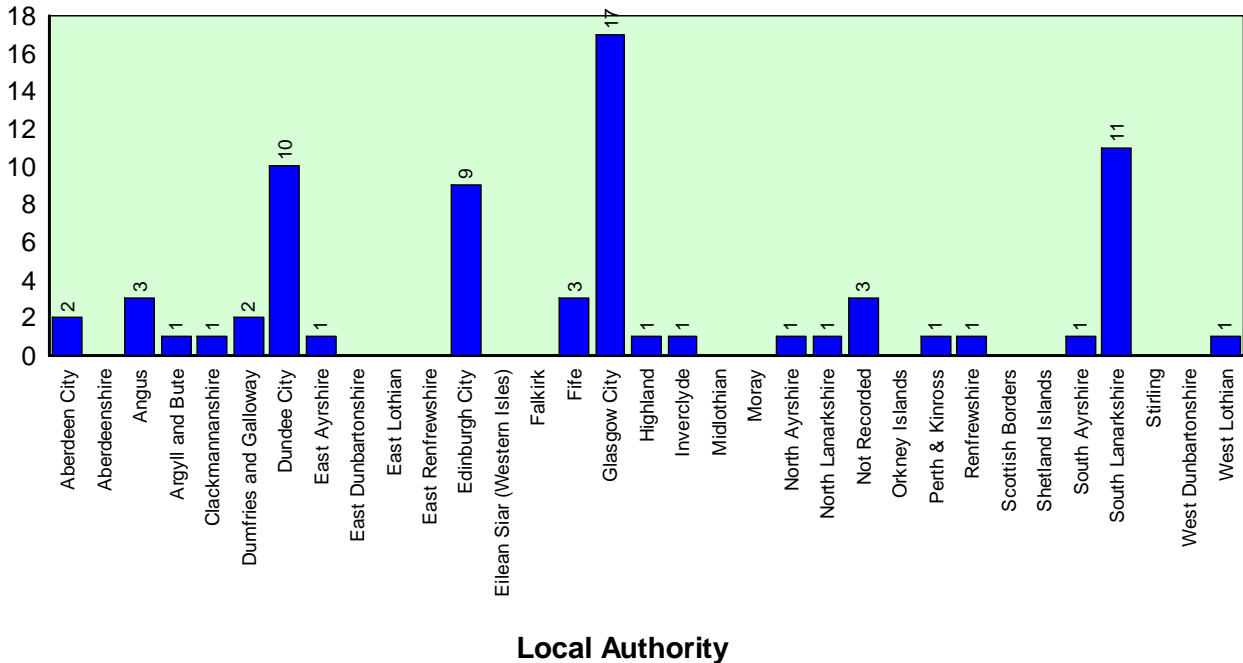


Figure 14. Forensic Cases by Local Authority. Data Shown - s185, s187, s189, s191, s192, s201, s204, s210, s211, s213, s214, s219, s220, s264, s265, s266 & s267 where (Compulsion order and Restriction order is selected) OR (Hospital Order is selected) on the EXS1 form.

Forensic Cases – By Section, January 2009 – March 2009

<u>Section</u>	<u>Month</u>	<u>Cases</u>
<u>185 - Reference by Scottish Ministers about compulsion order and restriction order</u>	FEB 2009	3
	MAR 2009	1
		<hr/>
		4
<u>189 - Reference by Scottish Ministers where compulsion order and restriction order has not been reviewed for 2 years</u>	JAN 2009	15
	FEB 2009	12
	MAR 2009	11
		<hr/>
		38
<u>192 - Application for conditional discharge or revocation of RO and variation of CO or revocation of CO</u>	JAN 2009	1
	FEB 2009	5
	MAR 2009	4
		<hr/>
		10
<u>204 - Appeal against recall from conditional discharge</u>	MAR 2009	1
		<hr/>
		1
<u>213 - Reference by Scottish Ministers where hospital direction or transfer for treatment direction has not been reviewed for 2 years</u>	JAN 2009	4
	FEB 2009	4
	MAR 2009	4
		<hr/>
		12
<u>264 - State Hospital: Application for order that patient is detained in conditions of Excessive Security</u>	FEB 2009	3
	MAR 2009	2
		<hr/>
		5

266 - State hospital: Subsequent further hearing regarding a patient held in conditions of Excessive Security

JAN 2009

1

1

Total

71

Hearings per Month by Health Board Area, January 2009 – March 2009

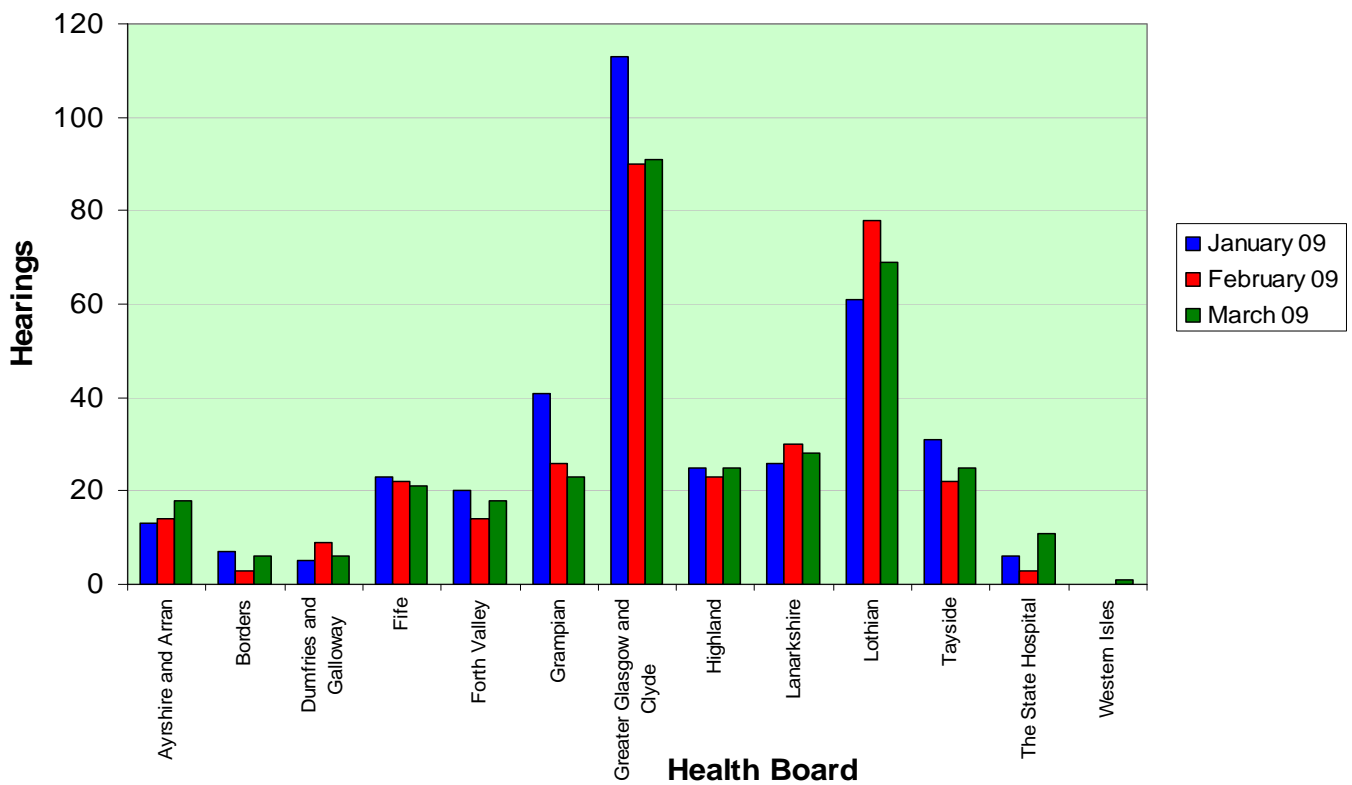


Figure 145. Hearing per Month by Health Board

Hearings by Health Board, January 2009 – March 2009

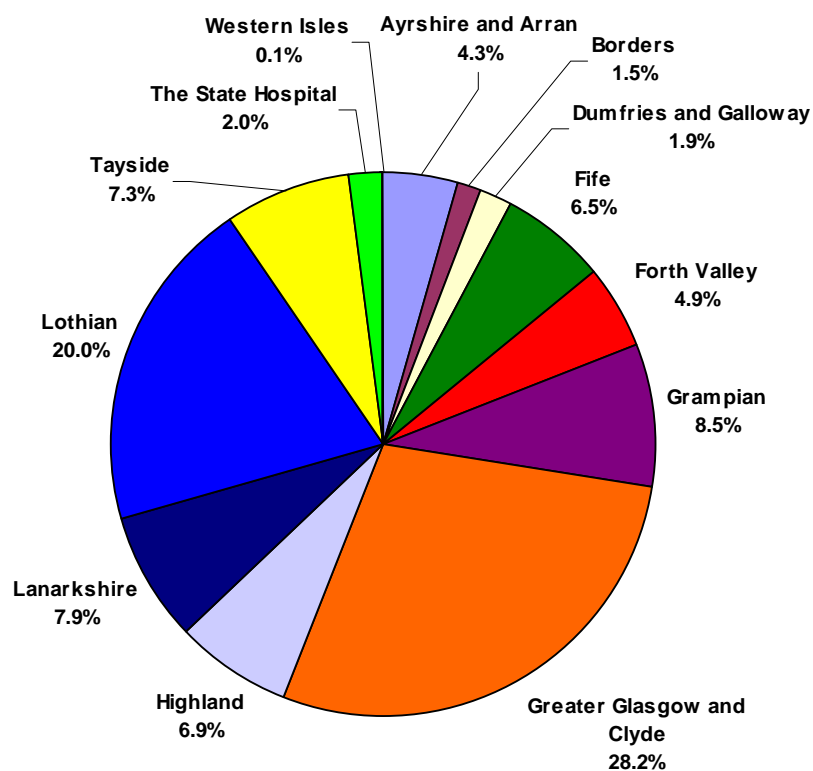


Figure 156. Breakdown of all hearings by Health Board.

<u>Health Board</u>	<u>Hearings</u>
Ayrshire and Arran	46
Borders	16
Dumfries and Galloway	20
Fife	69
Forth Valley	52
Grampian	91
Greater Glasgow and Clyde	301
Highland	74
Lanarkshire	84
Lothian	213
Tayside	78
The State Hospital	21
Western Isles	1
<hr/> <hr/>	
1066	

Hearings by Local Authority, January 2009 – March 2009

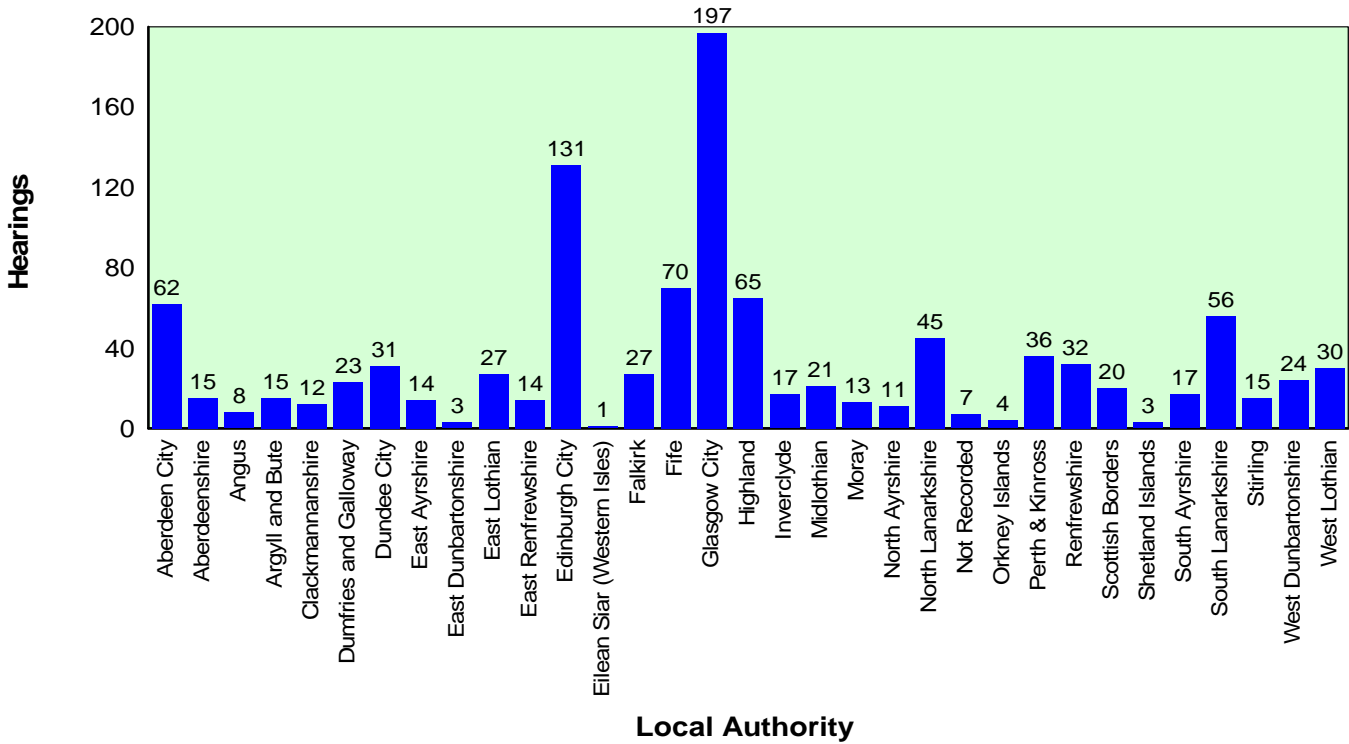


Figure 17. The Number of Hearings, categorised by Local Authority.

Hearings per Week, January 2009 – March 2009

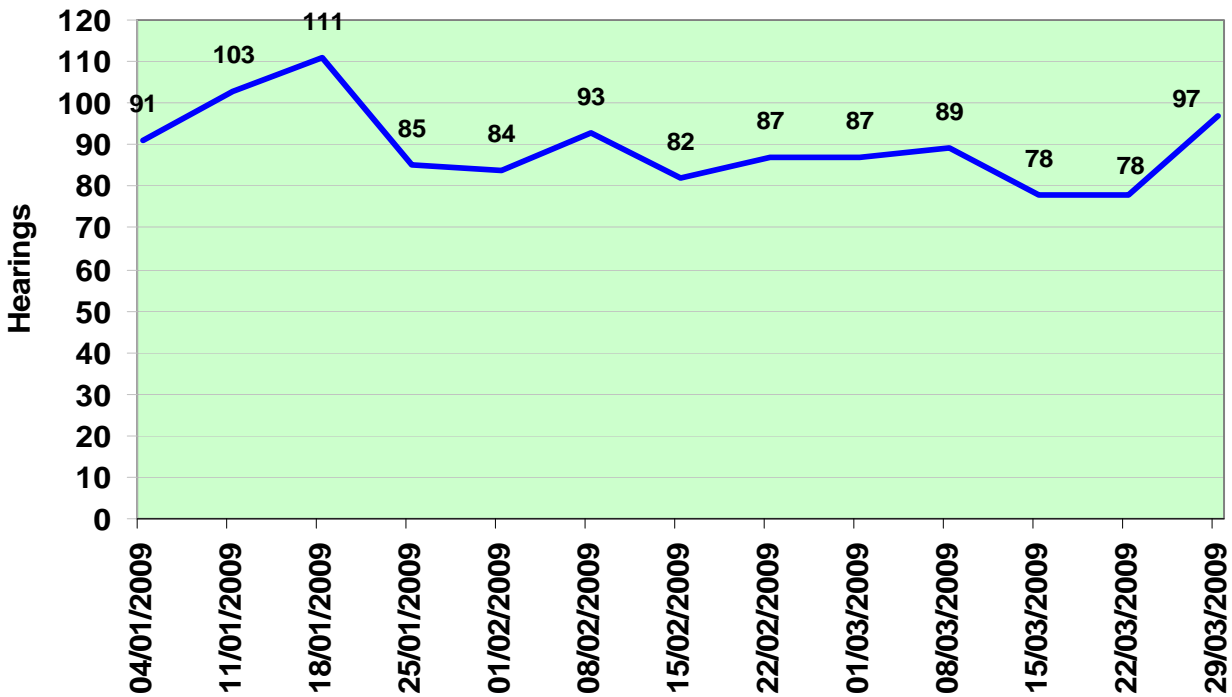


Figure 168. Hearings by week.

Outcomes of Applications to Revoke STDC Cases, January 2009 – March 2009

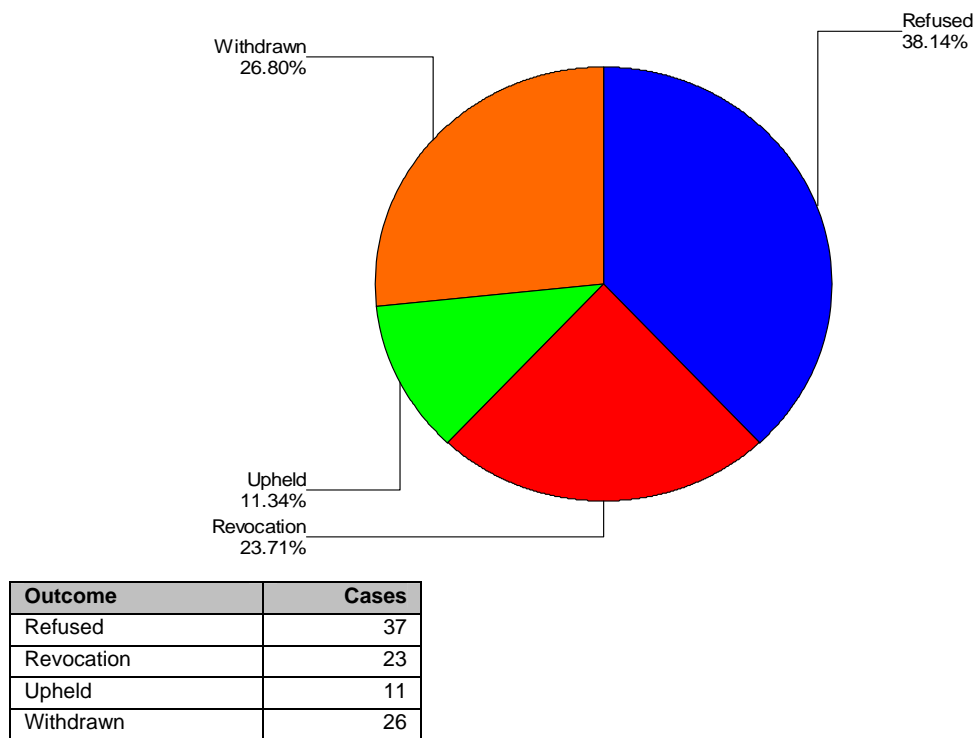


Figure 19. Applications to revoke a Short Term Detention Certificate Outcomes. (Section 50)

CTO Case Outcomes, January 2009 – March 2009

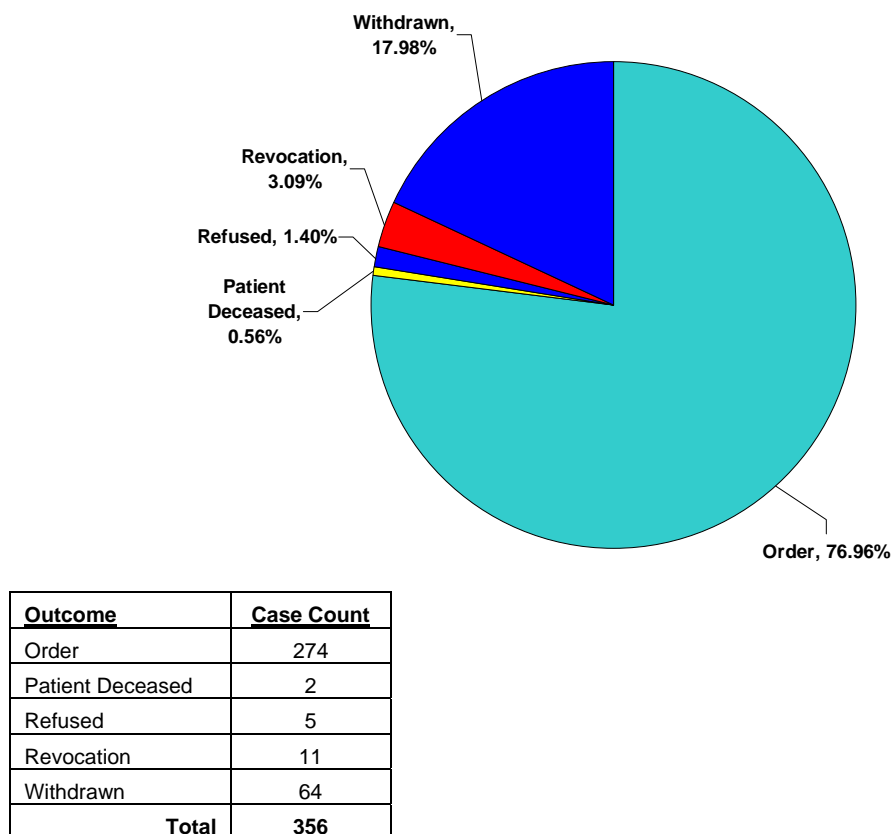


Figure 20. CTO Case Outcomes. A breakdown of the Outcome of all CTO cases.

CTO Application Received to Issue of Hearing Notice, January 2009 – March 2009

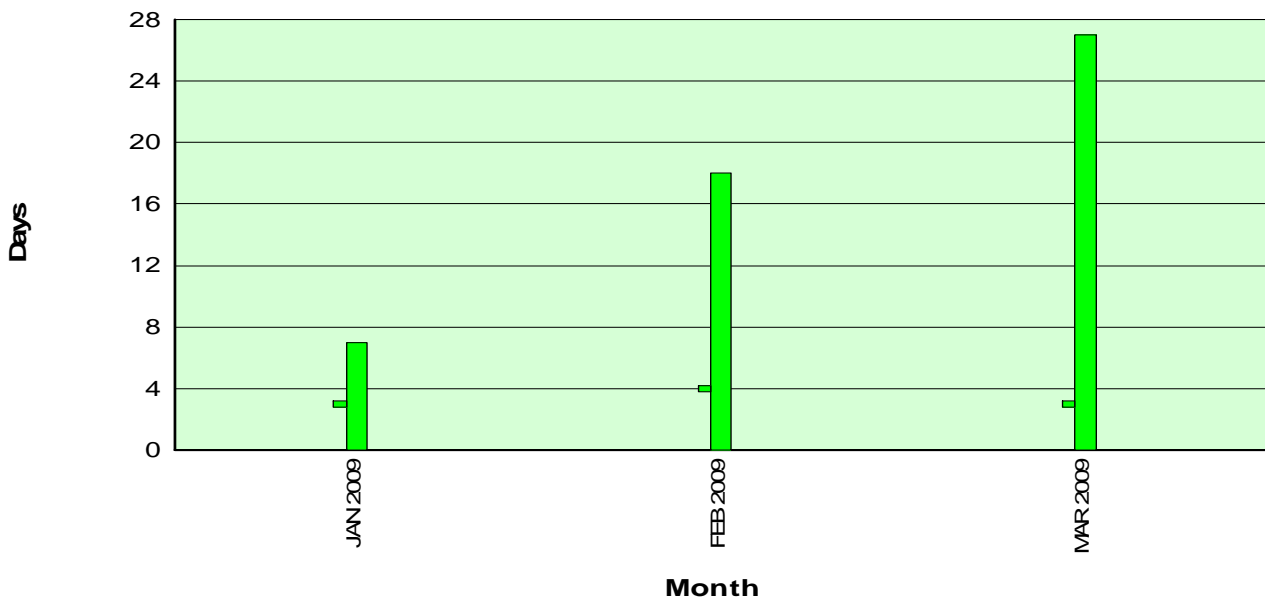


Figure 21. CTO Application Received to Issue of Hearing Notice

Shows the number of days (including non working days) between CTO received date and the issue date of related hearing notices (max, min and average). These include applications where there is no existing STDC and, therefore, no statutory deadline for the hearing – e.g. where the patient is currently in the community.

CTO Applications, Date of Receipt to Hearing Date, January 2009 – March 2009

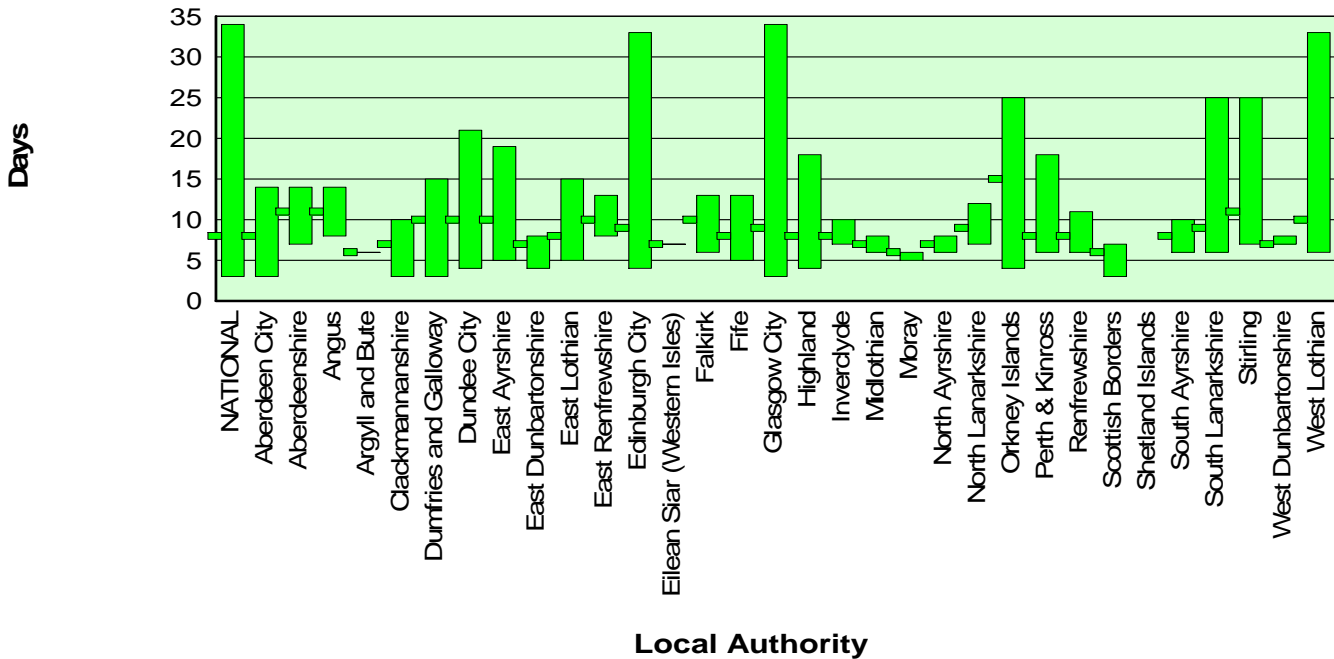


Figure 22. CTO Applications, Date of receipt to the actual hearing date, nationally and by Local Authority, showing the maximum, minimum and average times. These include all applications including those where there is no statutory timescale.

Hearing Durations

Hearing Durations January 2009 - March 2009

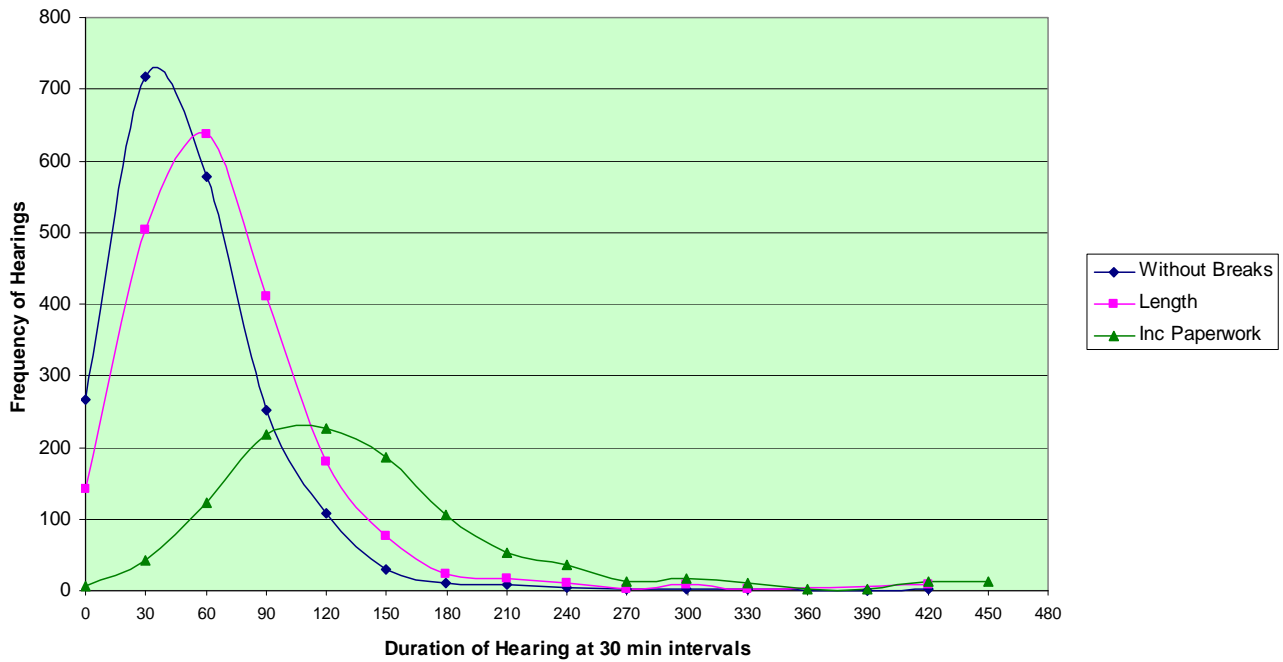


Figure 23. Hearing durations. The three lines represent the actual recorded time of all hearings; the hearing length excluding breaks (the time that most participants will be required for), total length of hearing and total time including the time taken for Members of the Tribunal to write up their findings and reasons. For hearings that include Full Findings and Reasons being carried out the average time currently stands at approximately 138 minutes.

All Cases by Local Authority per 100,000 Population, January 2009 – March 2009

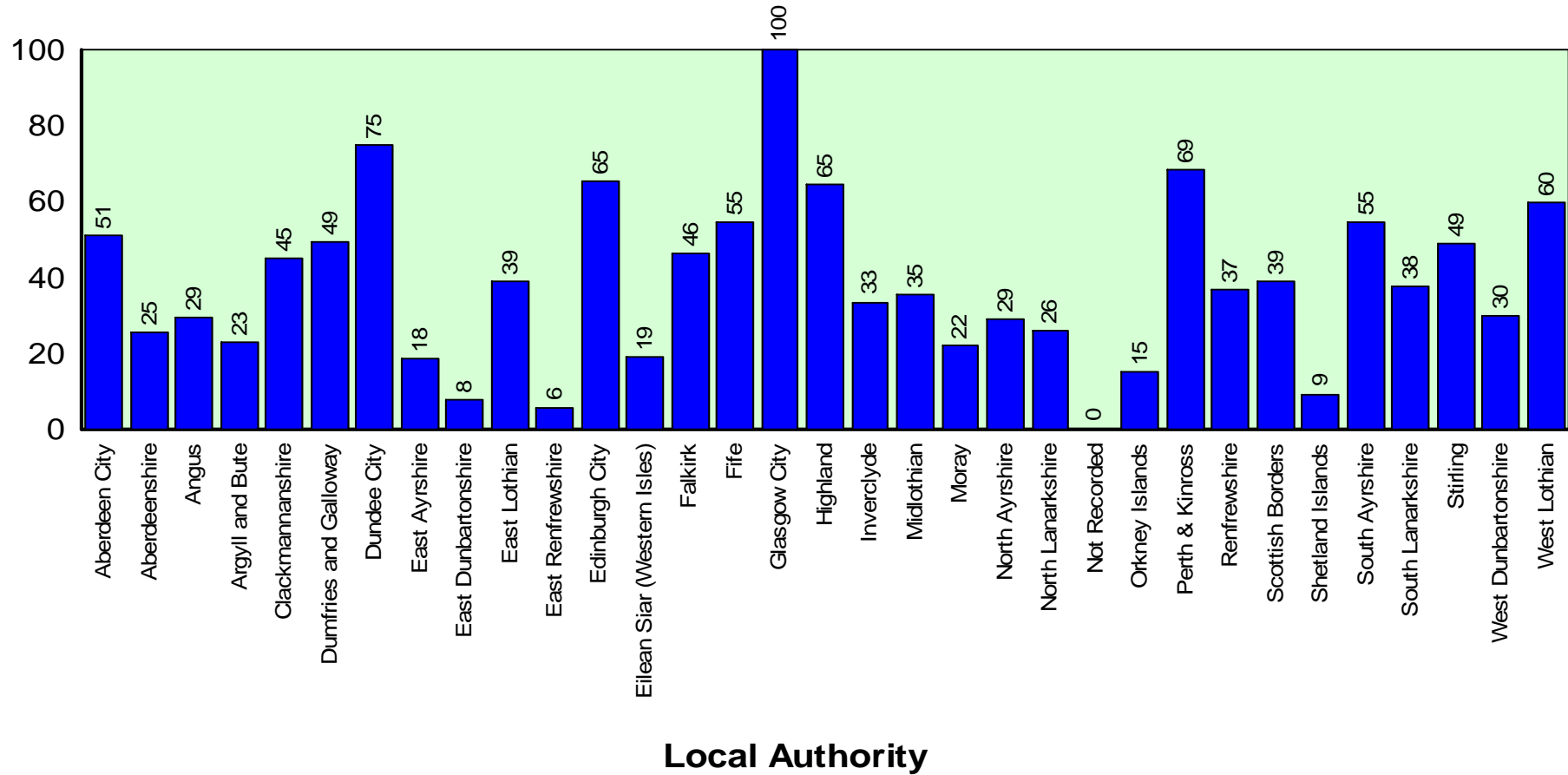


Figure 24. All MHTS cases by Local Authority per 100,000 people/population

CTO Cases by Local Authority per 100,000 Population, January 2009 – March 2009

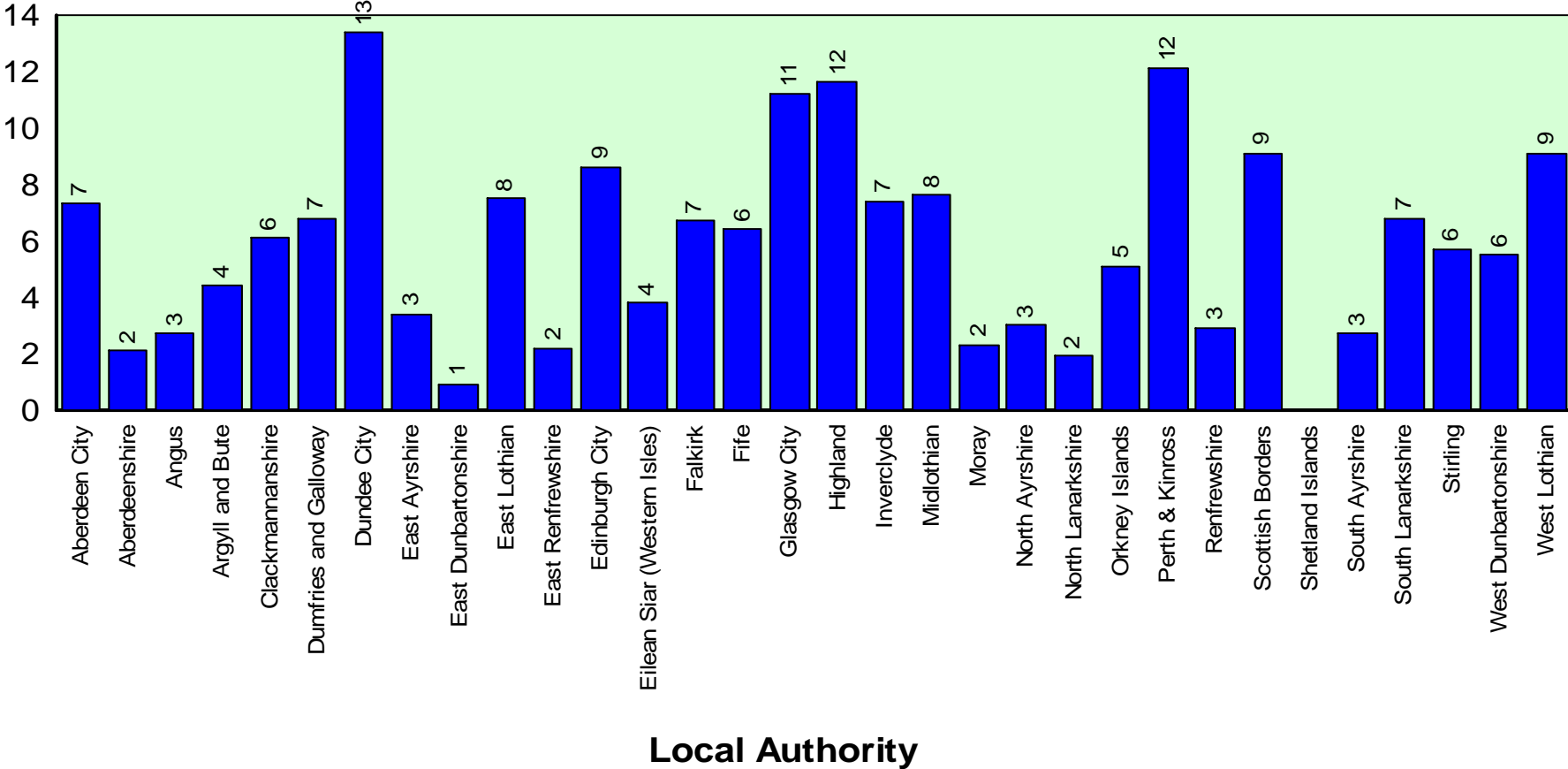


Figure 25. CTO cases by Local Authority per 100,000 people/population

Notifications by Local Authority per 100,000 population, January 2009 – March 2009

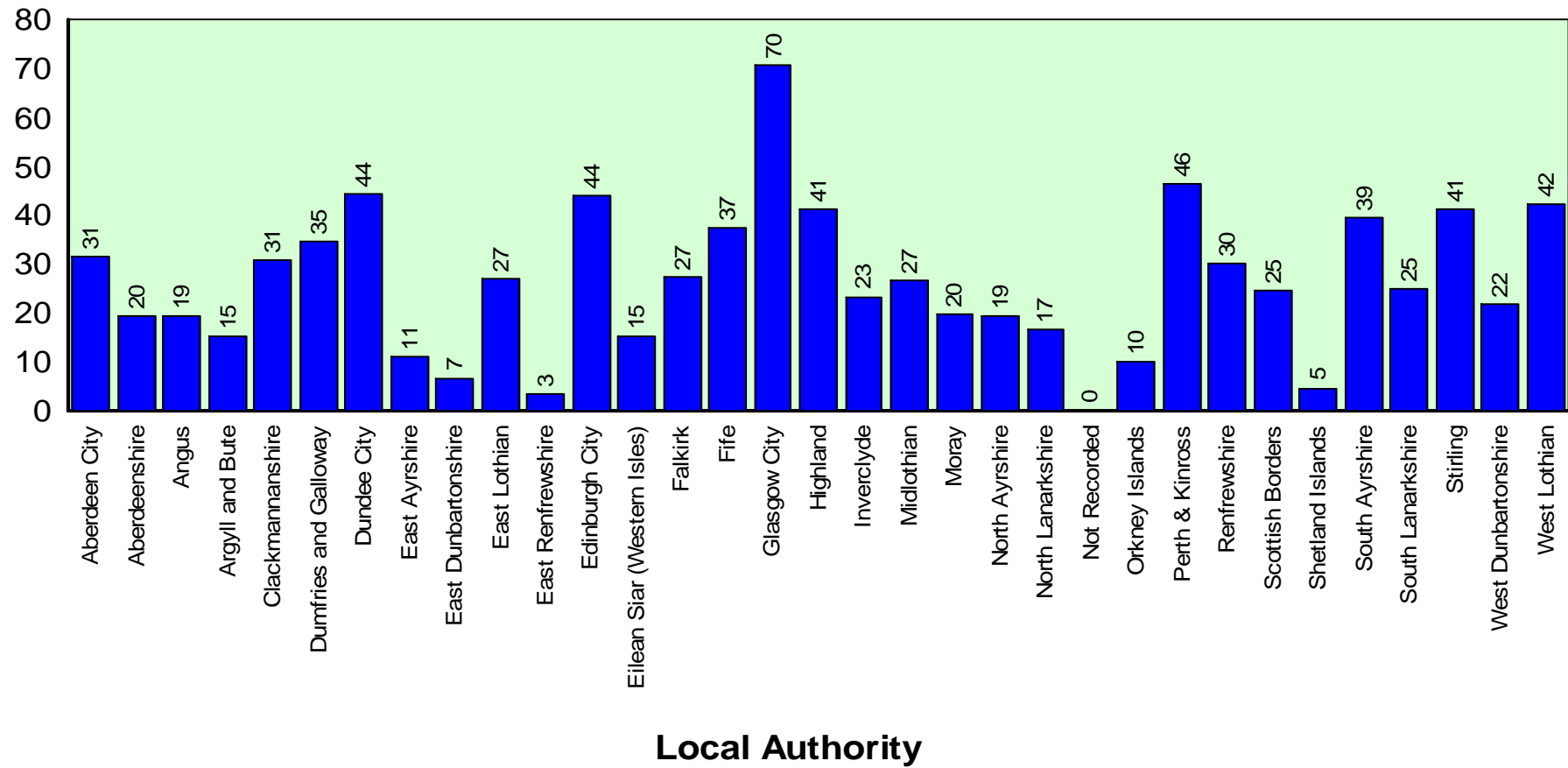


Figure 26. All Notifications to MHTS by Local Authority per 100,000 people/population.

Applications by Local Authority per 100,000 Population, January 2009 – March 2009

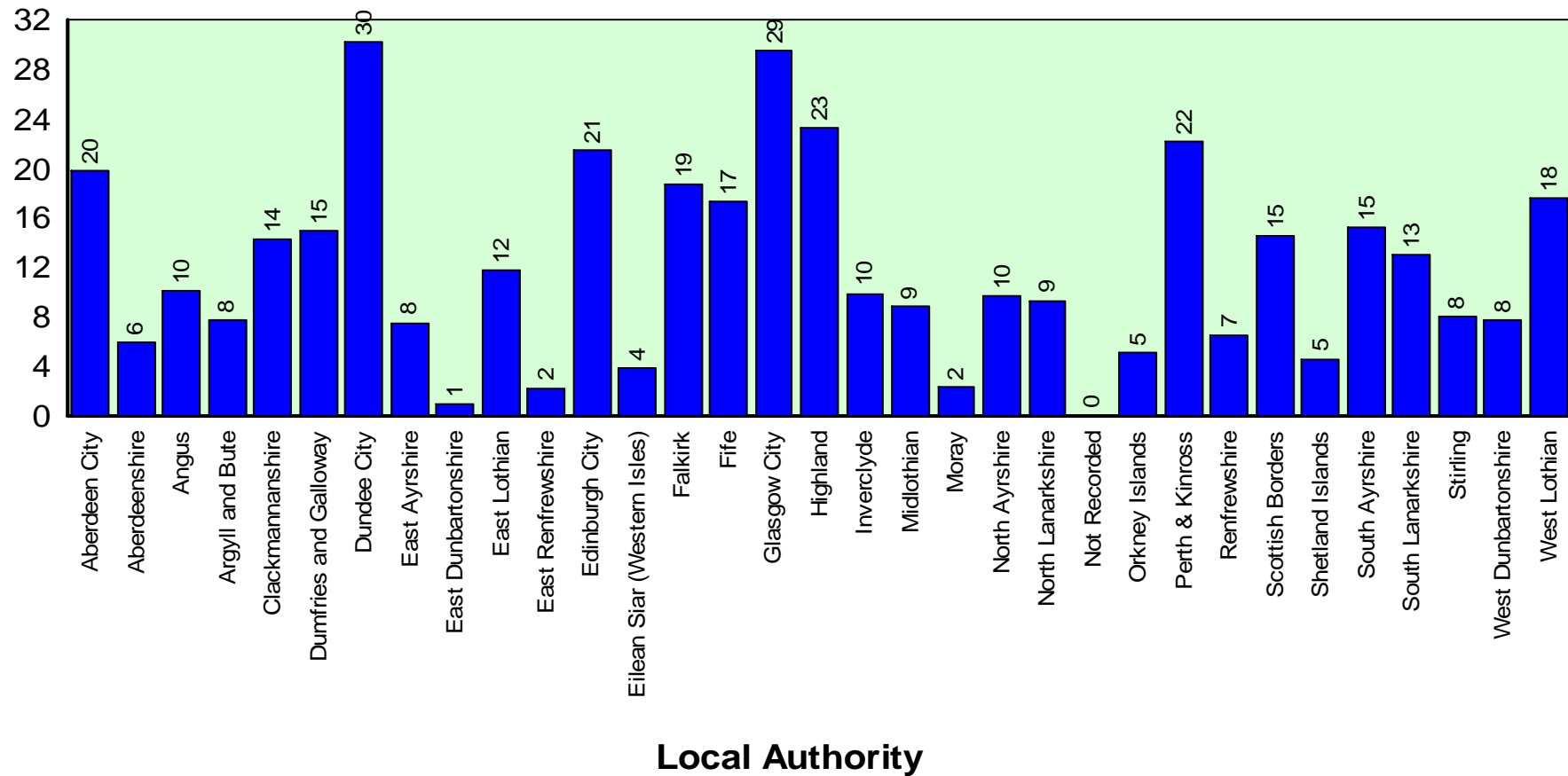


Figure 27. Total cases by Local Authority per 100,000 people/population. Total cases include all applications and notifications.

Commentary:

The total number of cases in this quarter is down 9.4% on the previous quarter and 4.4% down on the same quarter last year. This is largely a feature of a reduction in two year civil reviews. Similarly there have been small falls in the notification numbers for the same period last year and the previous quarter. Applications are down on the previous quarter 3.8% but up on last year 13.6%.

Total CTO applications are 2.3% lower than last year and 8% lower than the previous quarter.

For every month in the quarter day 28 has been the most common day on which CTO applications have been received, 20% of all applications being received on day 28 in March 2009. Days 27, 28 and day 29 taken together represent 37% of all CTOs received.

Very few applications are being submitted early in the period of Short Term Detention. In fact only two Local Authorities have any cases where their CTO applications were signed before day 14, compared to 8 in the previous quarter and 16 last year, the overall percentage dropping from 10% to 1%. However, it is pleasing to note that the gap between the signatures of the two medical reports is now consistently around two days.

There was an average of 89.6 hearings per week during the quarter compared with 78.6 the previous quarter and 86.6 the previous year. The Tribunal is very hopeful that the number of hearings will start to decline a little as the new procedure for the appointment of Curators starts to bed in. The Tribunal has also established a "Standing Tribunal" process that allows for purely judicial decisions to be made about cases without the need for a full hearing. This process does not affect patient's rights or their ability to represent their views or to have them represented on their behalf, but does allow cases to be progressed faster than had previously been the case. The Tribunal is also attempting to double up (two hearings with the same panel on the same day) more hearings, which helps to control costs during the quarter an average of 44.8% of hearings were doubled up. With three year's experience, the Tribunal is largely able to predict which hearings will last less than half a day and additional research is underway to refine the predictability further.

The percentage of CTO applications that the Tribunal refused more than halved fallen to 1.4% of cases, from 3.3% the previous year, it is the fourth quarter that the figure has fallen.

As has become the usual pattern the rate of application across Local Authority and Health Board areas varies significantly.