



Mental Health Tribunal for Scotland

ANNUAL REPORT 2024/2025

**This report covers the period
1 April 2024 to 31 March 2025**

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FOREWORD

The reporting year to 31 March 2025 was another hardworking period for the Mental Health Tribunal for Scotland. The number of applications made to the Tribunal rose again, as did the number of hearings. Around half of the applications made to us must be judicially determined within a statutorily fixed timescale. The Tribunal's adherence to this timescale remained very high.

Our hearings continue to take place on the phone, by video and in-person. Prior to 23 March 2020, all hearings were held in person. On that date, we had to move all our hearings to telephone conference call, owing to COVID. It has taken us until February 2025 to return to a position where the majority of our hearings are in person. I am grateful to all operations colleagues, to Tribunal members, to those who lodge applications and to service managers in hospitals for working with us to reach this point (and to continue to reduce the number of telephone hearings which, while useful in some contexts, can have limitations). Sometimes it is not possible to arrange an in-person hearing because of local factors, such as shared use of the hearings suite in a hospital or the need to accommodate more than one hearing in the same hospital at the same time. But taking account of a patient's wishes and feelings is a key principle in the Mental Health (Care and Treatment) (Scotland) Act 2003; we consider that the principle should extend to the format of a hearing, where a patient's choice should be realised if possible. At the time of writing this foreword, in November 2025, the proportion of in person hearings has fallen again and the proportion of telephone hearings has again risen. There appear to be a number of factors involved, and we hope to probe these in early course.

The Tribunal continues to try to engage with its stakeholders at specific events held for that purpose. We hold a forum for service users, carers and advocacy workers, another for responsible medical officers and mental health officers and a further event for solicitors and curators ad litem. These are offered twice yearly, apart from the forum for legal professionals which, to date, has been annual. Many topics are raised at such events and we try to answer queries and relay information where we can. We also contribute to training and CPD events for particular professionals involved in operating the 2003 Act, and benefit from interacting with our stakeholders on such occasions.

So far as members are concerned, and as referenced in the Financial Statements on page 11 of this report, the introduction by the Scottish Government of rolled-up holiday pay for members took place with effect from 1 April 2024. This is a welcome reflection of the nature of the service members provide. We were also pleased to work with the Scottish Government to recruit more legal members for the Tribunal, with a recruitment exercise taking place over the summer of 2024. Following this process, we welcomed 16 new conveners, who underwent three days of training in January 2025. They then observed hearings and began sitting shortly thereafter, boosting the availability of conveners around the country to the benefit of everyone involved with the Tribunal.

We also continued to provide training, both mandatory and optional, for our existing members. Over the summer of 2024, we offered two events on hearings for people with intellectual disability, one being in person and one online. This enables us to maintain our practice of populating hearings for people with learning disability with members who have undergone additional training. Our mandatory training for members in 2024 was delivered at our five-yearly all-member conference. This took place at Stirling University, and we were delighted to hear keynote addresses from:


- the then Lord President, Lord Carloway;

- Siobhian Brown, Minister for Victims and Community Safety, whose portfolio includes tribunals, and
- Femi Oyeboode, Honorary Professor of Psychiatry at Birmingham University, holder of a lifetime achievement award and honorary fellowship of the Royal College of Psychiatrists, and co-presenter of 'Is Psychiatry Working?' on Radio 4.

Our afternoon workshops related to Early Intervention in First Episode Psychosis; Eating Disorders; Economic, Social and Cultural Rights; Family and Carer Support for Service Users; and Spiritual Care and Chaplaincy in Mental Health Services. Feedback for all of these was very positive. More information about our conference, and about the workshops and their presenters, is available in our January 2025 newsletter, available [here](#).

The Tribunal has its headquarters in Hamilton, where around 73 casework and administrative staff are based. Our clerks are out and about around Scotland every day, working with members to complete hearings in many different venues. All our operational colleagues are dedicated and hardworking and we greatly appreciate their service to the organisation and to the people who come before tribunals. Our cohort of legal, medical and general members continues to demonstrate unwavering commitment to the Tribunal and the people it serves. All of these individuals work together to maintain the throughput of cases and to offer hearings that accord with our overriding objective of operating as fairly, efficiently and expeditiously as possible. The office of the President of the Tribunal is also in Hamilton, where I am supported by a small and highly dedicated team, whom I regard as indispensable. I pay tribute to everyone referred to above.

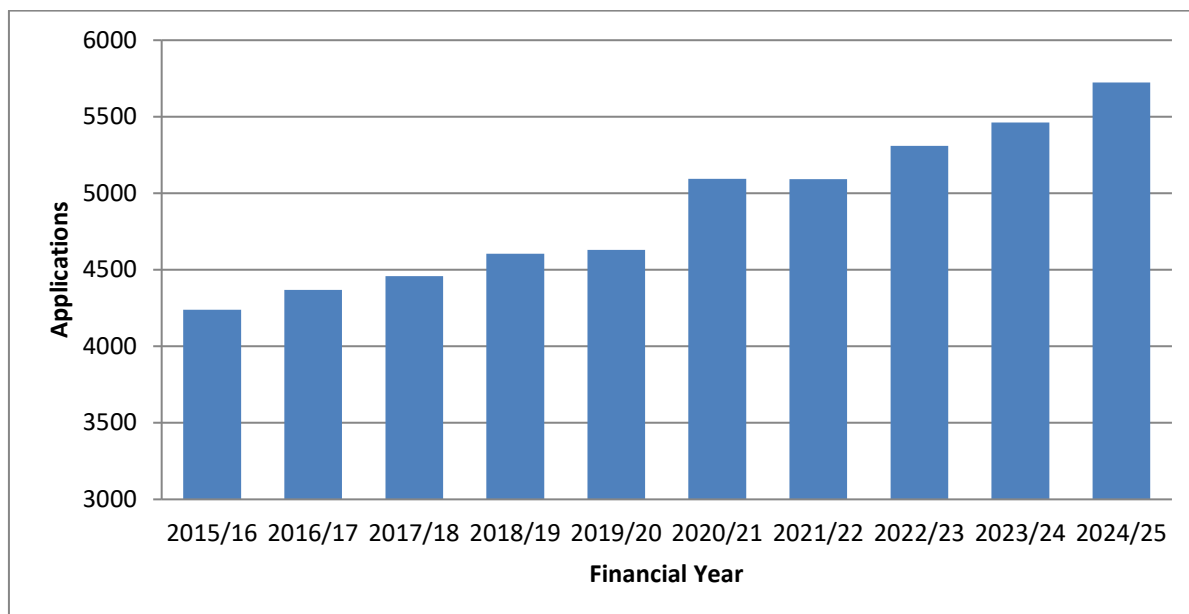
I hope you find it interesting to read of our work, and I commend to you this account of our most recent reporting year.



Laura J Dunlop KC
President

TRIBUNAL ACTIVITY

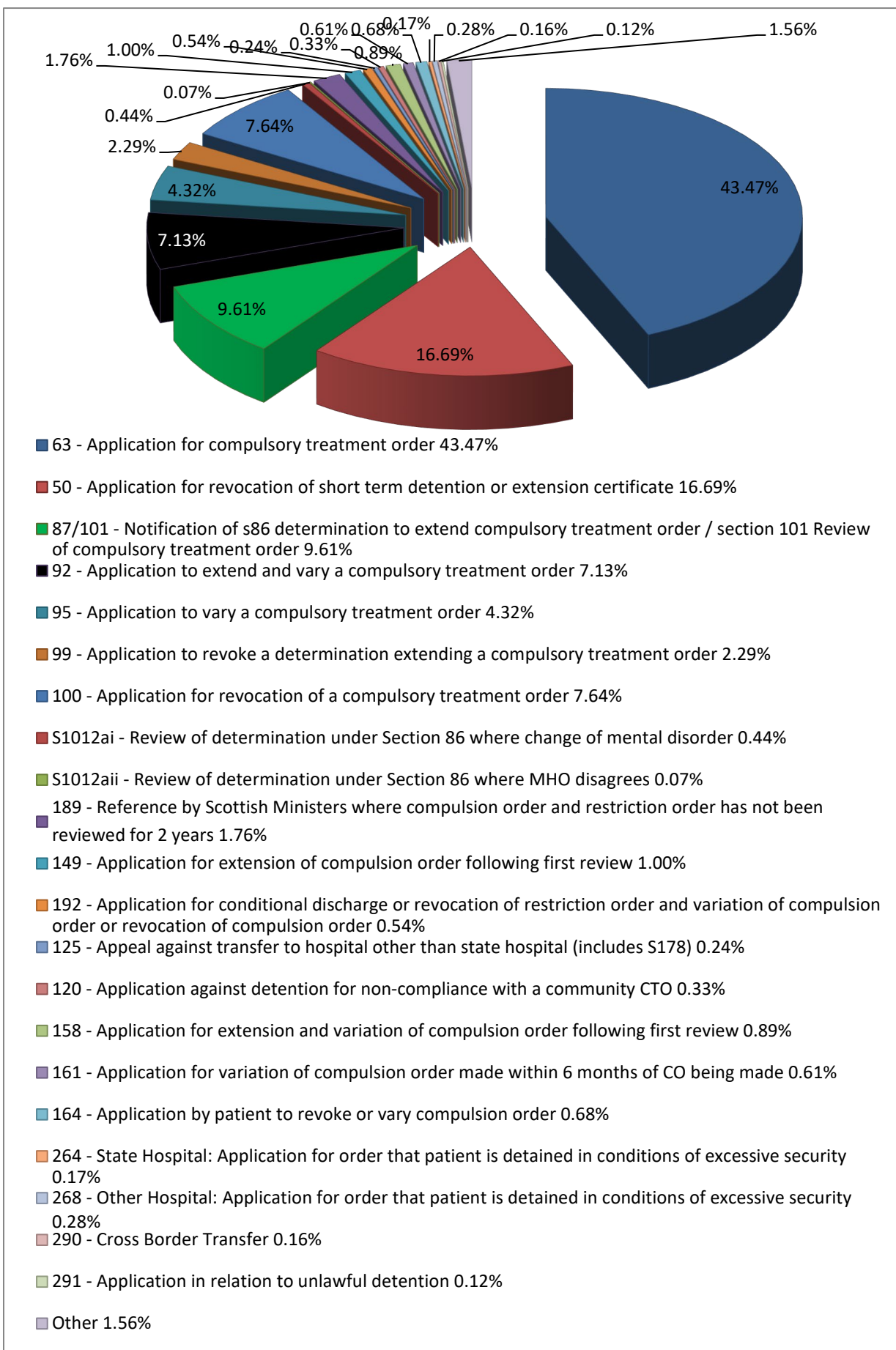
Applications received by the Tribunal in the last 10 years



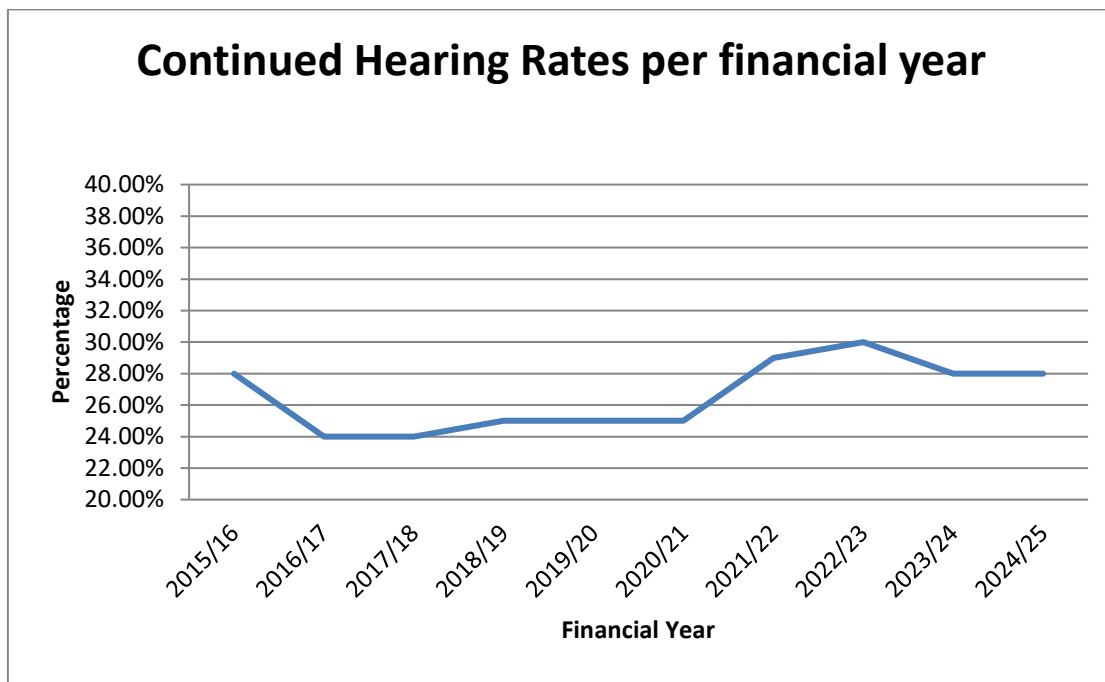
The above graph illustrates how the number of applications received by the Tribunal has increased since 2015/16, resulting this financial year in a total of 5723 applications received. Compulsory treatment order (section 63) applications continue to constitute the largest percentage of applications received, followed by applications to revoke short-term detention certificates (section 50). The proportions of different applications are shown on page 4.

The Tribunal's Administration continually evaluates staffing levels and skills to ensure that a high quality and efficient service is delivered at all times.

Applications, Appeals, References and Reviews dealt with by the Tribunal in 2024/2025, by individual sections of the Mental Health (Care and Treatment) (Scotland) Act 2003



Interim Orders and Adjournments of Hearings



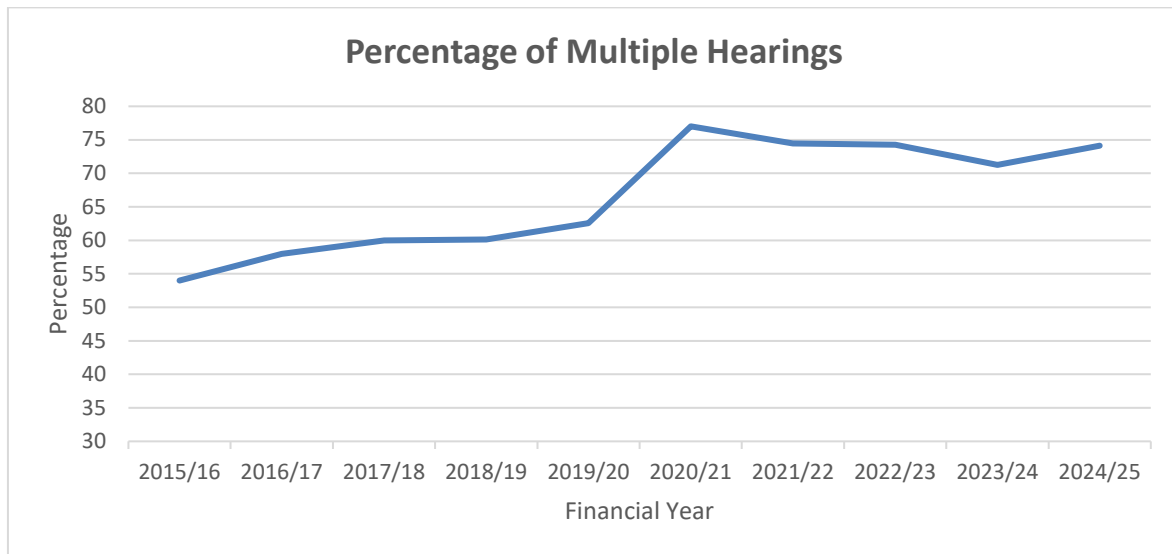
In total, 6,300 hearings were held in the financial year 2024/25, which is an increase of 153 hearings on the previous year.

In this reporting year, 72% of cases were determined at their first calling, which is consistent with the previous year.

The Tribunal Administration staff undertake a wide range of tasks prior to a Tribunal hearing taking place in order to ensure that, wherever possible, a case is determined at the first calling.

The Tribunal regularly evaluates existing practices in order to reduce further the number of continued hearings, whilst keeping in mind the key principles of the Tribunal, with the aim of improving the experience for all stakeholders and reducing financial costs.

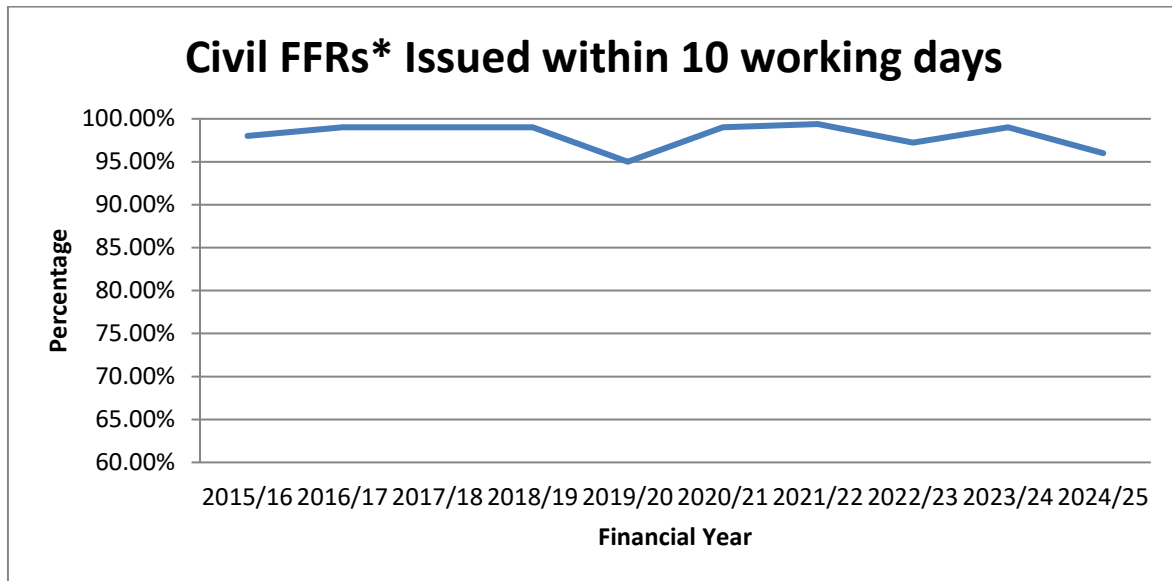
Multiple Hearings



Whilst maintaining a patient-centred approach, the Tribunal continues to focus on reducing the number of days required for hearings through implementation of the multiple hearings initiative, whereby a single Tribunal panel hears more than one case on the same day.

For some years now, the Tribunal has recorded the percentage of hearings which are held as part of a multiple hearing day. It is apparent from the table that there has been a steady increase in this percentage year on year since 2015/16. However, in 2020/21 there was a marked increase in the figure – from 63% in 2019/20 to 77% in 2020/21. The main reason for this increase was the greater potential for doubling up of hearings. This was not restricted by geographical location, given that the majority of our hearings were held by teleconference during 2020/21. In the reporting year 2021/22 there was a drop in this percentage, as we started to re-introduce more in-person hearings. The percentage remained more or less stable to March 2023, dropped slightly to March 2024 and has again increased to 74.11% in the year to March 2025. The number of in-person hearings continued to increase steadily during 2024/25.

Civil Decisions



* FFR is the full statement of facts found by the Tribunal and the reasons for the decision

It is an essential part of the work of the Tribunal's Administration to ensure that parties to Tribunal proceedings receive the final decision paperwork in a timeous manner (within 10 working days of the final hearing in a case).

This performance measure is considered a priority for the Tribunal's Administration, and in 2024/25 we have achieved an annual result of 96%. This is attributable to the diligence of members, particularly legal members, in formulating the written decisions promptly after the conclusion of a hearing, and to efficient administration in distributing these documents.

Complaints and Appeals to the Tribunal under the Mental Health (Care and Treatment) (Scotland) Act 2003

Appeals

There were four Sheriff Principal appeals lodged during the reporting period. Two were subsequently abandoned and two were withdrawn shortly before reaching a substantive hearing.

The substantive hearing for one Inner House appeal took place during the reporting period. The appellant was successful and the case was remitted back to a differently constituted tribunal.

The Tribunal successfully defended one Judicial Review during the reporting period.

Complaints

One complaint relating to a judicial member was received. It was referred to the Judicial Office who remitted it back to the President for investigation. The complaint was not upheld. In relation to the conduct or management of hearings, three complaints were investigated and resolved informally. One concern was resolved by correspondence. Two complaints about administrative processes were upheld and apologies were issued in each case. There was no complaint or concern received in relation to a Curator ad Litem during the reporting period.

Communications from individual tribunal users which raised queries or concerns were either investigated and resolved in house by the Legal Secretary and the Tribunal President or redirected to the appropriate body.

TRIBUNAL MEMBERSHIP

Total Number of Members* as at 1 April 2024	Legal Members	Medical Members	General Members	Part-time Sheriffs (also Tribunal Members)	Part-time Sheriffs (not Tribunal Members)
317	94	109	114	7*	13
These members are included in the total number of legal members					

During the financial year covered by this report, the Tribunal received upsetting news that two serving members had died. Also in the financial year 2024/25, the Tribunal received the resignations of 16 members. Of the 18 individuals referred to, 4 were general members, 6 were medical members and 8 were legal members.

Sixteen new legal members were appointed on 1 December 2024 and underwent a 3-day induction training course. The training covered various topics including Procedural Rules and the practicalities of convening a hearing, as well as handling sensitivities in the hearing room and decision writing.

There was no annual mandatory training due to the Tribunal hosting its 5-year all member conference. However, there were 2 evening training events with members attending on a voluntary basis.

MEMBERS' CONFERENCE

The Tribunal hosted its all Member Conference on Thursday 24 October 2024. This conference is held every 5 years to deliver a training programme where all member types can meet and participate in training collectively.

The Tribunal President delivered an opening address welcoming the Lord President and Lord Justice General, Lord Carloway, the President of Scottish Tribunals, Lady Wise, Minister for Victims and Community Safety, Siobhian Brown MSP, as well as MHTS Members and invited guests from various organisations including SCTS, Scottish Government and the Mental Welfare Commission for Scotland.

The keynote speech was delivered in the morning by Professor Femi Oyeboode MBBS, MD, PhD, FRCPsych, FRCPsych (Hon). Professor Oyeboode has been Professor of Psychiatry at the University of Birmingham since 1999 and is a published writer and poet, as well as being a podcast co-presenter with BBC Radio 4.

In the afternoon, members and guests attended workshops delivered by individuals qualified in their profession and by those with lived experience. Various topics were covered, as detailed in the President's foreword to this report.

The workshops were positively received and everyone welcomed the opportunity again to meet most of their colleagues in person. Those unable to be there attended one of two follow-up events held online.

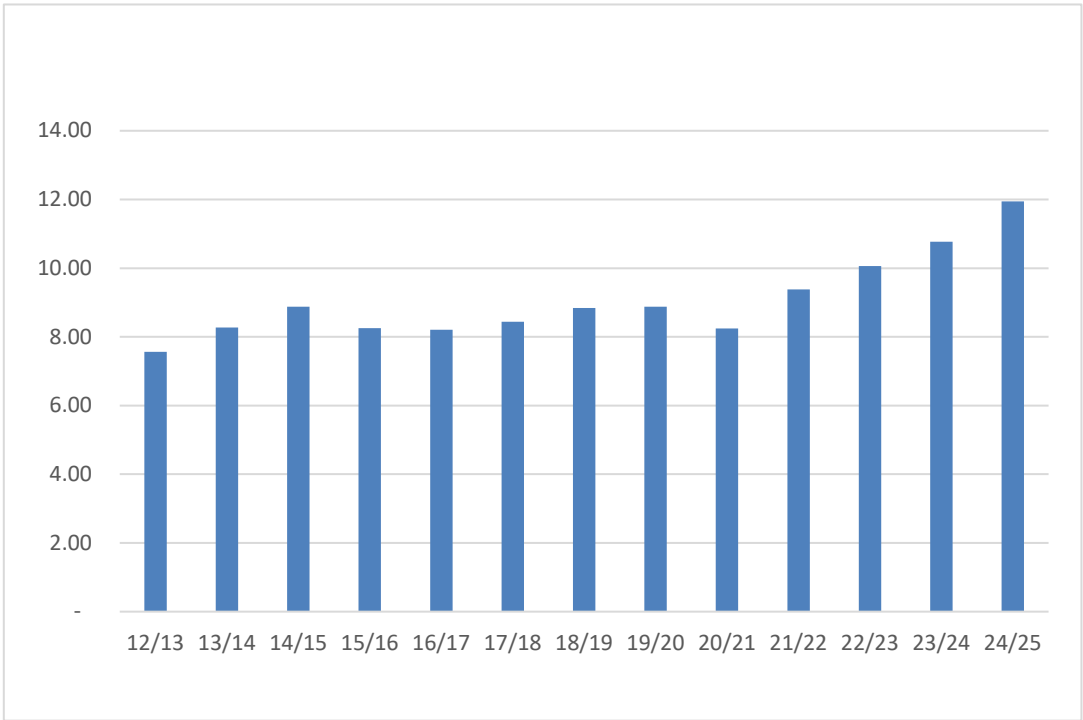
CORPORATE STRUCTURE AND FINANCES

Expenditure relating to public relations, overseas travel, hospitality and entertainment and external consultancy by the Tribunal during 2024/25:

Public relations	Nil
Overseas travel	Nil
Hospitality and entertainment	£380
External consultancy	Nil
Members and members of staff of the Tribunal who received remuneration in excess of £150,000	Nil
Payments with a value in excess of £25,000	Nil

Mental Health Tribunal Expenditure

COSTS IN £M



FINANCIAL RESULTS

Scottish Courts and Tribunals Service

Operating Cost Statement for the year ended 31 March 2025

2023/24		2024/25	
£000s		£000s	
7,464	Tribunal Costs	8,394	
Administrative Costs			
3,128	Staff	3,426	
177	Other Costs	120	
<hr/> 3,306 <hr/>		<hr/> 3,545 <hr/>	
10,770	Net Operating Costs	11,939	

Financial Performance

Tribunal costs have increased by 12% since 2023/24. This is driven by the change to terms and conditions introducing holiday pay for members. Members fees represent 66% of the total increase in costs. Staff costs have increased by 10%, representing 20% of the total increase in costs, this includes the increase in permanent resource following the consolidation of temporary posts previously filled by agency staff. The reduction in Other Costs also relates to the reduced requirement for agency staff.