



Mental Health Tribunal for Scotland

# Members' Newsletter

## May 2020

### **I N S I D E**

COVID-19 and MHTS Response

Feedback from members  
on teleconference hearings

Named Person update

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## Message from Laura J Dunlop QC



Dear All

The reason I am displaying this photo is for the jumper. I started knitting it more than 25 years ago, but made a mistake in the pattern and didn't notice till I'd nearly finished the front. I was so scunnered that it went into a bag, where it's remained ever since. With coaching from Jennifer, I finished it on 9 May. The sleeves are long enough for an orangutan, and I ran out of wool at the neck, but I still plan to wear it. I thought 25 years to finish something was a record, but I've since learned that a cousin has gone back to a patchwork quilt she was making for her first baby, and he's now 46. And someone in Operations talked of completing a long-lost tapestry. I look forward to news of that (you know who you are).

I am writing this letter during Mental Health Awareness Week. It has never felt more timely. The past 8 weeks have been unlike anything any of us has experienced before. There are some positive aspects, certainly, but many people have experienced unprecedented levels of stress and anxiety. Everyone will know, or know of, someone who has had COVID 19. A number of those people have died. Against such a background, for so many people to have carried on, meeting their responsibilities, is remarkable. Nowhere is that more so than in MHTS, where our whole process has carried on, from phone calls seeking advice about an application being prepared to the final distribution of papers after a hearing concludes.

Singling out people does not detract from everyone's efforts, but I do want to pay tribute to Team Leaders and to Managers, all of whom have carried an additional load, especially in the early weeks when staff numbers were reduced and new applications were mounting. The support from SCTS, most tangibly in equipping people with laptops to enable them to work from home, has been invaluable. Finally here, I want to mention Grace Lennox, our new Senior Operations Manager. This is the first newsletter since Grace joined us on 9 March. On page 5, Grace introduces herself to members. I can't think of a more challenging set of circumstances in which to start a new job. Yet she's been calm, efficient and cheerful throughout. We're glad to have you with us, Grace.

As we consider the future, there is a sizeable element of looking through a glass darkly. For the moment, teleconference hearings continue. They require extra input from clerks, who have adapted seamlessly to this enhanced role. An article from Elaine Ferguson about teleconference clerking appears on page 6. We in the President's office have been trying to gather data as we go, and as at the end of week nine on 22 May, there have been 771 teleconference hearings. Of those, patients have 'attended' in 377, or 49%. We will need to carry out some comparative work to ascertain the difference from in-person hearings; many thanks to others in PO for collating this material to date and for likely future input.

We are very grateful to all members who have been in touch in response to the message asking for feedback. A distillation of these messages appears on page 15. Some of you have made the point that video hearings would be better, at least for some patients. This feels right. If we had made that choice on 18 March, however, when we took the decision to stop in-person hearings, we would not have been able to move to a new system as soon as 23 March. The technological and practical challenges of video-conferencing are greater than audio only, but within SCTS work has begun to see how these might be overcome. What also feels right, however, is to return to hearings where everyone is physically together. That is likely to involve incremental steps, and careful planning will be necessary. I am very grateful to members for the flexibility, support and interest they have shown to date, and I am sure that will continue as we face the next set of challenges in the service we provide.

Lastly, there are always challenges in editing and producing a newsletter. Thank you to Jane Patrick for her skilled editorial role and to Yvonne Bastian for polishing the end product. We hope you enjoy reading it.

With best wishes,

Laura

**Laura J Dunlop QC**  
**President**

# News

## Introducing Grace Lennox, Senior Operations Manager, MHTS



I am delighted to have taken up post as the Senior Operations Manager here at MHTS, having started at the beginning of March. My arrival coincided with the UK Government's 'Contain' phase of the coronavirus pandemic. Whilst this has prevented me from meeting many of my new colleagues in person, I have had the great pleasure of speaking to some of you and some of our stakeholders in the course of arranging and fine-tuning our teleconference hearings model.

In a hectic first eight weeks, I have tried in earnest to understand all that the casework, scheduling and hearings teams do in order to maintain this critical, patient-centred service. I am extremely grateful to the President's Office and the Hamilton Administration for the support they have provided me during this turbulent settling-in period. Now that we have a stabilised system for delivering our service remotely, I hope to build the same wealth of technical knowledge that my colleagues employ here every day.

In a former life, I trained and practised law for a short time at the firm of Russells Gibson McCaffrey, Solicitors. There I appeared frequently at Glasgow Sheriff Court on behalf of my own clients and as a local agent for other firms. In 2017, I moved to the Ministry of Justice, Criminal Injuries Compensation Authority, to take up a post in Operations. My continuing interest in matters of Civil and Criminal Justice attracted me to this post early this year.

I am committed to optimising the front line service and administrative support that MHTS provides to our service users and the judiciary. The next quarter will call for the Management Team and Information & Learning Officers to work collaboratively with the President's Office and members to shape how our delivery model will look for the duration of this pandemic. I look forward to working through that challenge with some of you and to meeting one day under better circumstances.

## Covid-19 and MHTS Response

### A real change



### A clerk's perspective

The outbreak of coronavirus (COVID-19) has created a global health crisis that has impacted the way we perceive our world and our everyday lives. This means putting safety measures in place to contain the spread of the virus such as social distancing. As an organisation this has had a significant impact on the way we carry out our everyday business. As a result, on 23<sup>rd</sup> March this year we moved to a new model of facilitating hearings within the Mental Health Tribunal for Scotland (MHTS) by telephone. This was a huge transformation for everyone involved and happened within a matter of days.

Starting with a meeting, convened on Wednesday 18<sup>th</sup> March, the MHTS President, Clerks and Operations managers convened in Hamilton to test the possibility of conducting teleconference hearings, at which stage all ideas were on the table. What followed can only be described as an enormous collective effort from everyone involved to rise to the challenge.

Guidance was drawn up for everyone and it was all hands on deck within Operations to convert physical hearings to teleconference hearings in time for Monday of the following week. On March 23<sup>rd</sup>, teleconference hearings were convened and we were all required to adapt to an entirely new way of working.

Having been a clerk now for almost 14 years, this new model has taken some getting used to. However, almost nine weeks down the line and we are continuing to deliver a professional service, working very much as a team with our members and colleagues.

A lot of us are working from our homes and no doubt missing that face-to-face interaction we are all used to. It can be difficult on the telephone, missing those non-verbal signals that make up a huge part of daily communication.

Ensuring we maintain a patient-centred approach in these proceedings and safeguarding patient participation has been a real challenge. The combined efforts of MHTS, the members and those involved in a patient's life have gone a long way towards achieving this. Staff and management of MHTS have been supportive of the staff who are working from home, and not forgetting the assistance of staff from Glasgow Tribunal Centre which has been a great support.

While working from home, I certainly don't miss the long traffic queues in the morning – and I have instant access to the kitchen for coffee and cake!

There is no doubt that the COVID-19 global pandemic has caused major disruption to the way we live our day-to-day lives. The question now is how the changes brought about by the coronavirus might change our ways of working for good. That's a discussion for another day. Until then I look forward to seeing you all very soon, when we can pick up where we left off.

**Elaine Ferguson**  
**Hearings Clerk**



## **Scottish Mental Health Law Review**

The work of the Scottish Mental Health Law Review, chaired by John Scott QC, continues, and latest news and information is available at:

<https://mentalhealthlawreview.scot/>

Inevitably, the work of the Review has been affected by the COVID 19 crisis. The Call for Evidence issued by the Review on 3 February 2020 had an initial deadline of 24 April, but that was extended to 29 May. No doubt a number of members will have responded to this Call, or been involved in the preparation of responses on behalf of organisations. The President's Office will be submitting its response, which has had input from a small group, including legal, medical and general members.

### **Future reforms**

If you would be interested in assisting with any such consultation exercise in future, or with addressing an issue on which the Tribunal needs to formulate a position, please let Fiona Queen know. We hope that this will enable us to have a pool of members who can contribute to our thinking on challenges which arise in our work.



## **Data Security**

Our guidance for teleconferencing refers to the need to ensure that you participate in hearings from a room where you are alone (and will not be overheard). More generally, we are all spending more time with laptops open, accessing sensitive personal data in our own homes. At all times, we must remain attentive to the need to protect the security of this information.

You may want to refer to the SCTS poster narrating ten Golden Rules for Protecting Information Assets, which is displayed on the next page.



## **Mandatory Training**

A reminder that the training dates arranged for 4 June 2020 in Dundee and 18 and 19 June 2020 in Glasgow have been cancelled.

Further information about training will be emailed to members in due course.



# Protecting Information Assets

## Golden Rules



**PASSWORDS:** Access to equipment/media must be protected with a secure password. Don't disclose it to anyone.



**PERSONAL DATA:** Protect personal information and data as if they were your own.

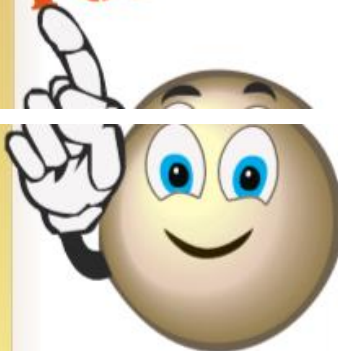


**AWAY FROM THE OFFICE?** Don't take data or information unless you really need to.



**SAFE BUILDINGS:** Watch out for unauthorised visitors and help keep buildings secure.

# DON'T FORGET!



**SECRET  
TOP SECRET  
OFFICIAL**

**PROTECTIVE MARKINGS:** know what protective marking applies to information and comply with the handling guidelines to protect it.



**LOCK DOWN:** Keep cabinets and pedestals locked and always lock your computer when leaving it.



**PROVIDING INFORMATION:** You must have the authority, and/or the legal power to release data or information. Sensitive data must be transferred securely.



**PUT IT AWAY:** Never leave information or data on your desk when you are not around.



**KEEP SECURE:** Keep your blackberry, laptop or any official papers secure at all times.



**BUSINESS NEED ONLY:** Never access information or data unless it's part of your job and you have a business need to do so.

## Casework and scheduling update

The Coronavirus pandemic has had an unprecedented effect on the way that we all work and live our lives. The Government guidance meant that it became essential for MHTS to adapt the way it functioned as an organisation, to ensure it was safe for hearings to proceed while also maintaining the high standards expected by both staff and stakeholders.

In addition to changing the way hearings were held, we have also had to make changes to the way in which staff work in the office. To look after the health and safety of staff and adhere to the strict social distancing measures, a weekly staff rotation in and out of the office has been introduced for both the casework and scheduling teams. In order to adapt to this way of working, new electronic processes have been implemented for all teams, to ensure that staff working from home are still able to carry out all aspects of their role.

In civil casework we have between 6 and 7 staff in the office each week primarily registering applications, and a further 11 staff at home primarily working on intimating tribunal hearings. All three members of the CORO team are currently working remotely carrying out both processes of registering applications and intimating hearings. The casework teams continue to receive support in the office from our colleagues in Glasgow Tribunal Centre to ensure tribunal hearings are intimated to patients and parties where intimation cannot be sent electronically. The teams are also being supported by colleagues in the Hearings team to intimate additional documents for tribunal hearings.

In scheduling we have 2 members of staff in the office each week and three members of staff at home all processing booking forms and assisting with day-to-day issues that may arise with the new process. The response by the members in providing increased availability has assisted the team greatly in being able to book a panel for tribunal hearings during these challenging times.

Due to the change to hearings, the teams have understandably also been required to field a large volume of calls from stakeholders regarding the new telephone conference process. At this time, it would be appreciated if members could direct any queries they have about paperwork or hearings to one of the In-house Conveners via the President's office.

All staff have adapted well to the new processes and working from home although, like everyone else I'm sure, are missing the face-to-face contact with their colleagues in the office. Looking back over the past 8 weeks there have been some real challenges and it has been great to see everyone coming together to support both their colleagues and the business. The smooth transition to telephone conferences and the ability to maintain all essential business proves the willingness and dedication from you, our members, the administration staff within MHTS and also our colleagues in Glasgow to continue to provide the excellent service that we as an organisation have become renowned for.

**Arlene Coggill**  
**Operations Manager**

## Emergency Contact Details

In August 2018, members were asked to advise the Tribunal of their emergency contact details in the event of an emergency whilst on MHTS duty. The request for information was not compulsory and members were advised they should only provide the details of an emergency contact if they were happy for that person to be contacted in the case of an emergency.

I am now asking members who have provided emergency contact details in the past to check these details listed within their 'Notes' on Webroster and to update if required.

If you have not provided emergency contact details to the Tribunal and wish to do so, please email the following information, which will be stored within 'Notes' on Webroster, to me at [fqueen@scotcourtribunals.gov.uk](mailto:fqueen@scotcourtribunals.gov.uk):

- Name of Emergency Contact
- Telephone Number of Emergency Contact
- Address of Emergency Contact  
(may be used if they cannot be contacted by telephone)
- Relationship Status (optional)

**Fiona Queen**  
**PA to the President and Member Liaison Officer**



## Profile within members' area of MHTS website

Within the members' area of the website, members have the option to list their email address; this allows members to contact each other by email without coming through the President's Office.

We do encourage members to list their email address but this is not compulsory. I would therefore ask members to check and update their email address if required. This can be done as follows:

- Access Judicial Members' area of website:  
[https://www.mhtscotland.gov.uk/mhts/Members\\_Area/Judicial\\_Members\\_Area](https://www.mhtscotland.gov.uk/mhts/Members_Area/Judicial_Members_Area)
- From left hand menu, click 'Update Profile'
- Check and update email address
- Click green box 'Save Profile'

**Fiona Queen**  
**PA to the President and Member Liaison Officer**

## Lockdown achievements



Bobbi Blythe – first strides



Crème Egg Scones



Empire Biscuits



Jennifer finds time  
to finish that pullover



Jennifer and Lola go shopping



Lockdown sundown



# Helpful Information

## Lawcare

Mindful that we are now entering our third month of lockdown, your attention is drawn to the availability of emotional support from an organisation called Lawcare.

LawCare is an independent charity run by volunteers from the legal profession. It provides help and support to all members of the legal profession, from secretaries to senior judges, throughout Great Britain and the Republic of Ireland. A recent enquiry confirmed that the service is available to all fee-paid tribunal members not just those with a legal background. It offers the opportunity to discuss health issues and problems which are interfering with, or have the potential to interfere with, work performance and/or family life – and to seek help in resolving the problem in its early stages. The LawCare service is free of charge and entirely confidential, although any subsequent professional counselling or treatment will normally have to be paid for (unless available on the National Health Service or covered by private health insurance).

In response to the pandemic, LawCare has developed a COVID-19 hub full of information and resources at <https://www.lawcare.org.uk/>, where emotional support can be accessed via email, webchat and LawCare's peer support service. The helpline number is 0800 279 6888.

## Futurelearn – Online Courses

A general member has made the Tribunal aware of Futurelearn, a free online resource, which he uses to augment his CPD as a social worker and for his work as a general member. He notes that some of the courses are very relevant now, including one on the psychological impact of Covid-19. There are also more general ones on mental health and learning disability.

<https://www.futurelearn.com/>

<https://www.futurelearn.com/courses/psychological-impact-of-covid-19>

## Caselaw on clinical and practical management

A medical member, recently asked to deal with a case involving an asylum seeker, has drawn to our attention an article he found very useful in his preparation. It highlights some of the difficulties in assessing and treating this patient group and provides advice in respect of clinical and practical management. The article was in the British Journal of Psychiatry, and can be downloaded as an open access item at:

<https://www.cambridge.org/core/journals/bjpsych-bulletin/article/assessing-asylum-seekers-refugees-and-undocumented-migrants/3F4CBDE7F8EA91DC98CF7E6BFDDA5C58>

## **Section 92 applications**

It is all too easy when considering an application under section 92 of the Act to become so engrossed in the patient's circumstances, including the care plan, that the fact that the order is due to expire imminently may be lost. Please always keep in mind the expiry date of an order when continuing an application and consider the need for an interim order, if appropriate.

## **Mistakes or omissions in paperwork**

When papers are submitted to the caseworkers, the caseworkers review them and ensure that the essential requirements of an application are met before a hearing is fixed. It is not the caseworkers' role to ensure that all parts of forms are appropriately completed. As members are aware the forms are not prescribed by statute and so there may still be some discrepancies or omissions in papers which members receive. These are matters which can usually be addressed and resolved at hearings.



# Articles

## Feedback from members on teleconference hearings

We are very grateful to all members who have responded to message 7 by providing feedback from hearings so far. What follows is a distillation of comments, responses and suggestions.

### Starting the hearing

Making clear from the outset what the process will be, including arrangements for who speaks when, is even more important when we are unable to see each other. Asking everyone to say their name before they speak is useful. Several members have commented on how tired they are after a double hearing. The effort involved in the concentration required to capture all that is said does seem to be more intense than if all are physically together. There is a suggestion that we are listening even more carefully, which can't be all bad. It may help if you slow things down. Consciously speaking more slowly can promote calm. It also makes it easier for someone else to make a necessary interjection – 'interruption' is not always the right word, as there may be no other way for a person to signal that they have something to say than by interjecting.

Once all have joined and the call has been locked, it is best to have a rollcall of who is present, conducted by the clerk or the convener. For everyone to introduce themselves is as necessary as in an in-person hearing. It also avoids the surprise of reaching the end of the hearing to discover that there has been a person present throughout who was neither introduced nor given a chance to speak.

### The hearing itself

Several members commented on how helpful written evidence is (obviously this is only true if all present have access to the material).

There were also several instances of people becoming upset, sometimes picked up by members and sometimes only realised belatedly. Again, it probably makes sense to be generally more tolerant of interjections, including where there is a sense that someone is not coping with proceedings.

When the evidence and any submissions are complete, most conveners are simply stating a time for everyone to call back in for either an update or for the decision. This seems to be preferred over the idea of participants texting the clerk with their number so that the clerk can then contact them when the tribunal is ready to reconvene. That alternative is also available.

When all the participants have left the call at the end and only the members and clerk remain, members should agree among themselves the process for finalising the decision. There are various options. Ordinary phone calls between members can work. Emails on ordinary email addresses can also be used provided all communication refers only to the text by description, e.g. by telling the convener of a typo in the second finding in fact or that you would like to change paragraph 6. If a further teleconference is



necessary for members to discuss the decision, Fiona Queen is able to assist by providing dial-in details for a further conference call.

Alternatively, anyone with an iPhone can host a conference call as follows: call the first person / six buttons appear on screen / when they answer press bottom left 'add call' / dial second person / when they answer press bottom left 'merge calls'. Doing this via FaceTime is also an option, as you will see if you try it.

## **Finalising the decision**

If an order has been granted, the clerk will upload the completed document for members to check and for the convener to authorise by the addition of their name.

Owing to our document deletion arrangements, uploading a document will only work if you allocate to it a date in the future. You may also have to use wording to differentiate versions of documents, such as 'Draft' or 'Final', or give it a number. At the end of the FFR, conveners can type in their signature, or add a scanned personal signature.

Lastly, if you are having difficulty disposing of confidential material in hard copy, please contact [mchatham@scotcourttribunals.gov.uk](mailto:mchatham@scotcourttribunals.gov.uk) to arrange for transmission for shredding purposes. It is also helpful to ensure that your contact details in the members' database are up to date, in case another member is searching for your email address or phone number. If you are unable to update your profile, please contact Fiona who can do this for you: [fqueen@scotcourttribunals.gov.uk](mailto:fqueen@scotcourttribunals.gov.uk)

# **Named person update, bias and a family perspective of remote justice**

I thought it would be helpful to members to provide the following update and to raise a couple of issues which are relevant to remote hearings.

## **Named Person Nominations**

The requirement of the 2003 Act that a nomination of a named person include a witnessed docket of acceptance by the nominated person (section 250(2A)) and that the witness be a prescribed person in terms of the Mental Health (Patient Representation) (Prescribed Persons) (Scotland) Regulations 2017 has been particularly difficult to fulfil in the current circumstances. For a nominated person to have a prescribed person visit them specially in order to witness the docket has been demanding as a use of time and has placed both persons at risk of catching or transmitting the coronavirus.

This difficulty has now been remedied by Schedule 1, Part 4, Paragraph 12 of the Coronavirus (Scotland) (No. 2) Act 2020 which came into force on 27 May 2020. This paragraph amends section 250(2A) of the Act so that the nominated person's signature no longer requires to be witnessed by a prescribed person. So, from 27 May 2020 a nomination of a named person will be valid provided the nomination form is witnessed and there is a signed acceptance form from the person nominated.

It is worth remembering there is always the option for a person to apply for leave to enter proceedings as a party in terms of Rule 48 of the 2005 Rules. This provision is often used now by relatives of a patient who has no capacity to nominate a named person and who used to be default named persons. The requirements for such an application are set out in Rule 48(1). Provided the requirements of Rule 48 are fulfilled, the tribunal may consider such a request and even grant it at a hearing.

## **Oral Evidence in Telephone Hearings**

In our therapeutic jurisprudence members have learned to use "softer" skills, including reading non-verbal cues and signs from attendees at hearing and setting the tone for hearings. Maintaining these skills is one of the significant challenges arising during the current use of telephone hearings but, as members will appreciate, nonetheless they remain important.

One thing to guard against, which applies in all hearings whether by telephone or otherwise, is to try to counter the inadvertent approval of evidence, from any party. It comes back to the perception of bias; if a decision maker says something favourable about the contents of oral evidence (from any source) or even something unfavourable, it can imply that a decision has been made at least on what that witness had to say. From a patient's perspective, a positive comment about a RMO's contribution can give the perception that whatever they said is accepted and potentially even definitive. Whilst that may well be accurate, the panel will only reach a position on this after consideration of all evidence and that is not something that should be perceived to happen during the 'live' hearing. Conversely, if a patient or named person gives evidence that is praised or commented on favourably by a panel member, this could create an unrealistic expectation about the weight which may be placed on that evidence by the panel in considering its decision.

The creation of a perception of bias in a decision maker's treatment of evidence by one or other party is not a problem confined to our own jurisdiction. The matter was considered by the Inner House of the Court of Session in the case of [\*Brian Philp v The Highland Council\* \[2018\] CSIH 53](#). At risk of over-simplifying the decision, the summary message here for judicial decision makers is do not compliment the parties to a hearing. I will take that message slightly further by suggesting that criticising them would be similarly frowned-upon by an appeal judge. It is possible that the lack of anything except verbal cues in a telephone hearing will make it more tempting to make a comment in response to evidence. This could be construed as implying bias and so is worth resisting.

## Administration of Justice

Finally, Lady Smith has brought a recent report from England to the attention of Tribunals: "[Remote justice: a family perspective](#)".

Lady Smith wrote—

*"Given the extent to which we have been and are striving to look at ways of holding hearings by remote/virtual means, I think it is important to be aware of the risk of diminishing perceptions as to the quality of the administration of justice. Whilst the negative tones of this article may well have been influenced by outcome not being as the litigant had hoped for, it makes for uncomfortable reading in a number of places."*

The report is written by Celia Kitinger, co-director of the Coma and Disorders of Consciousness Research Centre and Honorary Professor, Cardiff University School of Law and Politics after she attended, as a voluntary supporter, a remote hearing for the Court of Protection. She has written the report to give a lay participant's (as opposed to a professional's) perspective of remote proceedings. It discusses various matters including maintaining the gravitas of proceedings; the difficulties for a non-legal person participating in a hearing when s/he is alone and without support; the impact of the outcome of a hearing on a person's perspective of it; the importance of ensuring a person feels heard; and the effect of audio time lag and outside intrusions. It is worth a read.

I hope that this article has been of interest. If there are any topics which you would like addressed in future newsletters, please do let me know.

**Jennifer Whyte**  
**Legal Secretary**

# **Liz Wilson LL.B, NP, MAR 1946–2020**

## **Story of interest**



Staff at a nursing home have been lavished with praise after embracing four tenets of the Buddha – generous heart, kind speech, service and compassion – to meet the dying wishes of one of Scotland’s most eminent former convener members of the Mental Health Tribunal for Scotland.

One of their most moving actions for Elizabeth May Wilson was to crochet a prayer blanket to fulfil the Tibetan Buddhist practice that she be wrapped in one before cremation.

Some 30 staff at Bridge View House nursing home, Dundee, worked on a “Stitch for Liz” – crocheting the prayer blanket, a Mandala, after volunteering to contribute at least one stitch each, such was their esteem for her.

The staff also learned a mantra, much to the delight of Liz, aged 73.

She was one of Scotland’s youngest ever lawyers; a member of the Law Society of Scotland for more than 46 years, a tribunal chair, university tutor – and professional reflexologist.

In a letter to the Care Inspectorate, Liz’s family and friends have paid tribute to the “awesome” staff. The letter praises them for going the extra mile to embrace her end-of-life requirements. Their changes in working practices also included a radical makeover of vegetarian menus at the nursing home.

Heather Allison, 58, home manager, crocheted the Mandala blanket with the staff's help – using colours based on prayer flags which adorned Liz's room.

The blanket was provided after Heather told Liz that she was crocheting an owl using a Mandala stitch for the wings. She had only recently discovered the stitch, despite starting to crochet when just four years old. That conversation led Liz to recall she should be wrapped in a Mandala blanket.

Heather said: "We had never nursed a Buddhist before, and the staff adored and embraced Liz. She was unique, and her belief so strong. She was a calm, serene, and inviting person, and without doubt an inspiration to staff."

They were taught the mantra by colleague Sunita Lama, a nurse carer, and only discovered she was also a Buddhist after Liz arrived at Bridge View. Liz had advised that no-one should talk or touch her when close to death due to concerns that would impact on her journey and transition. That was alien to caring nurses, but they welcomed the mantra as accepted practice.

Alison Wilson, Liz's sister, said: "I cannot speak highly enough of the staff. They were marvellous, having made Liz feel at home and at peace. The 'Stitch for Liz' is especially poignant. She was delighted with the Mandala. It is beautiful."



**Iain Wilson and Cameron Simpson**

## Legal Update

- Coronavirus (Scotland) Act 2020  
<http://www.legislation.gov.uk/asp/2020/7/enacted/data.pdf>
- Coronavirus (Scotland) Act 2020 – Scottish Government Guidance for stakeholders  
<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2020/04/coronavirus-covid-19-guidance-for-scottish-government-stakeholders-on-the-coronavirus-scotland-act-2020/documents/coronavirus-covid-19-guidance-for-stakeholders-on-the-coronavirus-scotland-act-2020/coronavirus-covid-19-guidance-for-stakeholders-on-the-coronavirus-scotland-act-2020/govscot%3Adocument/Coronavirus%2B%2528Scotland%2529%2BAct%2B-%2BGuidance%2Bto%2BScottish%2BGovernment%2Bstakeholders%2B%2528004%2529.pdf>
- Coronavirus (Scotland) (No. 2) Act 2020  
[http://www.legislation.gov.uk/asp/2020/10/pdfs/asp\\_20200010\\_en.pdf](http://www.legislation.gov.uk/asp/2020/10/pdfs/asp_20200010_en.pdf)

## Informative Publications

- Child and Adolescent Mental Health Services (CAMHS) NHS Scotland National Service Specification February 2020  
<https://www.gov.scot/binaries/content/documents/govscot/publications/publication/2020/02/child-adolescent-mental-health-services-camhs-nhs-scotland-national-service-specification/documents/child-adolescent-mental-health-services-camhs-nhs-scotland-national-service-specification/child-adolescent-mental-health-services-camhs-nhs-scotland-national-service-specification/govscot%3Adocument/child-adolescent-mental-health-services-camhs-nhs-scotland-national-service-specification.pdf>
- MHTS COVID-19 Guidance and advice for mental health professionals  
<https://www.mhtscotland.gov.uk/mhts/News/News>
- Schedule 9 to the Coronavirus Act 2020, containing prospective changes to the 2003 Act and the Criminal Procedure (Scotland) Act 1995  
<https://www.legislation.gov.uk/ukpga/2020/7/schedule/9/data.pdf>
- Scottish Mental Health Law Review Newsletter, April 2020  
<https://cms.mentalhealthlawreview.scot/wp-content/uploads/2020/05/SMHLR-Newsletter-April-Issue-2.pdf>
- Scottish Mental Health Law Review Newsletter, May 2020  
<https://cms.mentalhealthlawreview.scot/wp-content/uploads/2020/05/SMHLR-Newsletter-May-.pdf>

## Mental Welfare Commission Publications

- Young People Monitoring Report. 2018-19  
[https://www.mwscot.org.uk/sites/default/files/2020-03/YoungPeopleMonitoringReport\\_2018-19.pdf](https://www.mwscot.org.uk/sites/default/files/2020-03/YoungPeopleMonitoringReport_2018-19.pdf)



- Older People's functional mental health wards in hospitals: themed visit report – 16 April 2020  
[https://www.mwcscot.org.uk/sites/default/files/2020-04/OlderPeoplesFunctionalMentalHealthWardsInHospitals\\_ThemedVisitReport\\_April2020.pdf](https://www.mwcscot.org.uk/sites/default/files/2020-04/OlderPeoplesFunctionalMentalHealthWardsInHospitals_ThemedVisitReport_April2020.pdf)
- Coronavirus information for service users and their families – Version 2, updated 6 May 2020  
[https://www.mwcscot.org.uk/sites/default/files/2020-05/CoronavirusInfoForServiceUsersAndFamilies\\_V2\\_06May2020.pdf](https://www.mwcscot.org.uk/sites/default/files/2020-05/CoronavirusInfoForServiceUsersAndFamilies_V2_06May2020.pdf)
- COVID-19: FAQs for practitioners – Version 9, 27 May 2020  
<https://www.mwcscot.org.uk/sites/default/files/2020-05/Covid-19%20advice%20note%20v9%2027%20May%202020.pdf>

**Please note that links to Informative Publications are included for information only. Any views expressed in these publications are those of the authors and not those of the MHTS.**

### **Newsletter Contributions**

The Tribunal welcomes contributions to the Newsletter from all members. Members who wish to contribute to the Newsletter should contact Yvonne Bastian at [MHTSPresidentsOffice@scotcourtsribunals.gov.uk](mailto:MHTSPresidentsOffice@scotcourtsribunals.gov.uk)

The following timescales will apply for contributions\*:

**May edition:** contributions by the end of March

**September edition:** contributions by the end of July

**January edition:** contributions by the end of November

**\*Contributions may require to be edited**



## Clerks' Contact Details

| Clerk      |           | Number        | Email  |
|------------|-----------|---------------|--|
| Allan      | Jean      | 07917 898 792 | <p>Please email clerks at the following generic email address and <i>not</i> at their individual email address:</p> <p><a href="mailto:MHTSHearingsOps@scotcourttribunals.gov.uk">MHTSHearingsOps@scotcourttribunals.gov.uk</a></p>  |
| Armstrong  | Grant     | 07917 898 818 |  |
| Barclay    | David     | 07917 898 806 |  |
| Berry      | Laura     | 07471 350 329 |  |
| Bruce      | Ian       | 07876 884 046 |  |
| Cherry     | Alice     | 07884 655 908 |  |
| Colquhoun  | Michael   | 07825 009 020 |  |
| Cowie      | Paul      | 07917 898 801 |  |
| Deegan     | Rose      | 07471 350 328 |  |
| Ferguson   | Elaine    | 07917 898 813 |  |
| Glanville  | Sophia    | 07584 158 121 | <p>Post hearing paperwork to be uploaded to:</p> <p style="text-align: center;"><b>MHTS_FFR_Order</b></p> <p>on the Judicial Members' area of the MHTS website</p>   |
| Harris     | Richard   | 07469 141 130 |  |
| Higgins    | Margaret  | 07884 655 912 |  |
| Hope       | Gordon    | 07785 462 397 |  |
| Kilpatrick | Hannah    | 07884 664 658 |  |
| Lithgow    | Anne      | 07917 898 823 |  |
| McLagan    | Stuart    | 07584 158 127 |  |
| Miller     | Mandy     | 07770 645 654 |  |
| Mooney     | Audrey    | 07876 884 044 |  |
| Paterson   | Chris     | 07715 463 790 |  |
| Paterson   | Leanne    | 07471 350 730 | <p style="text-align: center;"><b>Hearing Team Leaders:</b></p> <p>Anna Bulloch – 01698 390 040<br/> <a href="mailto:abulloch@scotcourttribunals.gov.uk">abulloch@scotcourttribunals.gov.uk</a></p> <p>Sandra Devlin – 01698 390 013<br/> <a href="mailto:sdevlin@scotcourttribunals.gov.uk">sdevlin@scotcourttribunals.gov.uk</a></p> <p>Gillian Hutton – 01698 390 058<br/> <a href="mailto:ghutton@scotcourttribunals.gov.uk">ghutton@scotcourttribunals.gov.uk</a></p> |
| Ramsay     | Jane      | 07917 898 809 |  |
| Sinnett    | Stephanie | 07531 273 290 |  |
| Swan       | Alan      | 07557 484 869 |  |
| Thomson    | Jeanette  | 07917 898 822 |  |
| Webb       | Kevin     | 07917 898 793 |  |
| Zachary    | Margaret  | 07917 898 796 |  |

# Useful Contacts

## **Scheduling Team**

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## **President's Office**

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**Yvonne Bastian, President's Office Secretary**

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