

A photograph of a modern building with light-colored brickwork and dark-framed windows. In the foreground, there is a garden bed with dark mulch and various green plants. A wooden fence is visible on the right side of the garden. The image is partially obscured by a white circular shape containing the title and a blue rounded rectangle containing a quote.

Associate Hospital Managers Reviews

Making sure
you get the
type of hearing
you want.



Making sure you get the type of hearing you want

If you are having an Associate Hospital Managers hearing, we want you to have the type of hearing that you want. This leaflet should help you to understand your options and decide what arrangements you would like made.

Face-to-face or Virtual?

Face to face hearings take place in person, where attendees all sit together in a private meeting room.

The attendees will consist of:

- You
- 3 Associate Hospital Managers
- Your Responsible Clinician
- Your Named Nurse
- Your Social Worker / care coordinator
- Your legal representative / IMHA (If you have one)
- Your nearest relative (If you permit them to attend).

Virtual hearings usually have all the same attendees, but they take place via a video call on a computer.

- Virtual hearings take place via an MS Team video link.
- You will be able to see and hear the attendees on the screen.
- Only people that have been sent a link can attend the meeting.
- Unlike a virtual Tribunal, the Hospital Managers hearings are not recorded.

Contesting or not contesting?

If you are having a review because your section is due to be renewed or extended, you can :

Contest - This means you don't agree with the Section being renewed or extended. You will either need to attend the hearing or instruct a solicitor to represent your views to the panel.

Not contest - This means that you agree to the continued detention. You do not have to attend the hearing, and you will not need a solicitor.

If you are applying for a review at any other time, it is considered as contested because you don't want to be on your Section.

Will you be attending the hearing?

- You don't have to attend any hearing if you don't want to.
- If you choose not to attend but you are contesting, then a Solicitor or an IMHA will need to attend on your behalf.
- If you have confirmed that you are not attending the hearing, it will take place as a virtual meeting.

Do you want a Legal Representative?

- If you are contesting the renewal of your section, you can choose solicitor to represent you, and this is free of charge.
- There is a list of Approved Mental Health Solicitors available on every unit. If you haven't already got a copy, please ask a member of staff.
- When choosing a solicitor they must be an approved Mental Health Solicitor (not a family law or criminal law solicitor).
- You will need to talk to your solicitor and instruct them so that they tell the panel what you want them to know.

Before you choose a Solicitor:

- Call them to discuss whether they can represent you.
- If you are choosing a face-to-face hearing tell your solicitor and check that they can attend the hearing in person.
- If they are unable to attend in person, you have the right to choose a different solicitor.

Do you want an IMHA?

- An IMHA is an Independent Mental Health Advocate.
- They can support you during an Associate Hospital Managers hearing.
- They can explain what is discussed and explore options available to you.
- If you do not already have an IMHA ask the staff on your unit to make a referral for you.

Do you want your nearest relative to attend?

- Your 'Nearest Relative' is usually identified when your detention commences.
- You can decide if you want this person to be informed or to attend the hearing or not.
- If you want them to be informed or invited, you will need to give their details on the application form.
- You do not have to inform or invite them to attend the hearing if you don't want to.
- You have the right to deny them access to information about your care and your hearing.

Further Information

Leaflets with further information about the IMHA service covering your area are available from staff. Please ask if you would like a copy.

Helpful websites

- Cloverleaf-advocacy.co.uk
- Voiceability.org
- gov.uk/courts-tribunals/first-tier-tribunal-mental-health

! - Now that you know what type of hearing you want, you need to let a member of staff know. They will let the Legislation department know so that the correct arrangements are made

Completing a Review application form

If you are applying for a review, you will need to fill in an application form. You can:

- Fill this in by yourself
- Ask a member of staff to assist you
- Ask a member of staff to do this for you
- Ask your solicitor to do this for you

Changing your mind

It's okay to change your mind about what type of hearing you have and if it is an appeal hearing that you have applied for yourself you can even change your mind about it going ahead at all, but you cannot cancel a review that has been arranged to look at the renewal/extension of a Section.

Please tell a member of staff if you want arrangements to change and we will do our best to make the changes you have requested.

- Sometimes if a change occurs close to the hearing date/time, the hearing will proceed as scheduled, and the panel will be notified of your request at the hearing. The panel will then decide how to proceed.
- You can withdraw (cancel) your review application, but you must put your withdrawal request in writing and give it to a member of staff.

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