



**Digital
Advocacy Hub**

Independent Mental Health Advocacy

First Tier Tribunal



**Easy
Read**

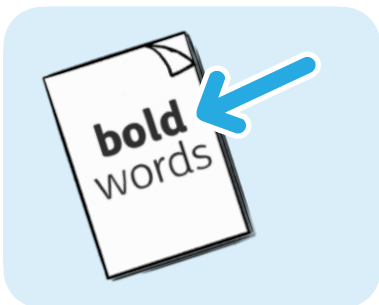
Easy Read



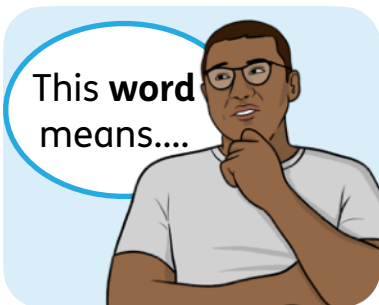
This is an Easy Read version of some information. It may not include all of the information but it will tell you about the important parts.



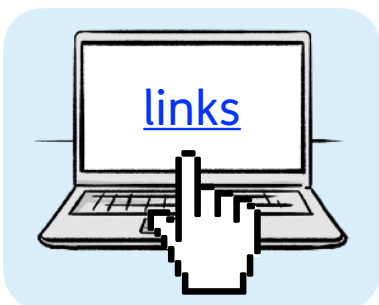
This Easy Read booklet uses easier words and pictures. You may still want help to read it.



Some words are in **bold** - this means the writing is thicker and darker.



These are words that some people will find hard. When you see a bold word, we will explain it in the next sentence.



Blue and underlined words show links to websites and email addresses. You can click on these links on a computer.

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About this booklet



This is information from n-compass about **Independent Mental Health Advocacy**.

Independent Mental Health Advocacy is when someone helps people:



- Understand their rights - rights say how people should be treated and what they should be able to do by law.



- Speak up about their mental health care.



The person who does this is called an **Independent Mental Health Advocate (IMHA)**.



Sometimes, people getting care for their mental health are kept in hospital.



There are rules about how people should be treated in hospital.



This booklet will tell you about First Tier **Tribunal**.

A **tribunal** is a group of people who make decisions about your care, including if you can leave hospital.

What is Mental Health Advocacy?



You can get support from an Independent Mental Health Advocate (IMHA) if you are **detained** or being treated under a part of the **Mental Health Act**.



Detained means you are kept in a hospital or other building and you cannot decide to leave by yourself.



The **Mental Health Act** is a law. We will explain more about this in the next part.

An IMHA can support you if:



- You do not understand what is happening to you.



- You want to try and change a decision about your care or support.

IMHAs can help:



- Patients who are being kept in hospital.



- People who are on a Community Treatment Order - this means you can be treated in the local area where you live.



- People who are under Guardianship - this means that someone called a Guardian is making sure you get the care you need.



Your Guardian can be someone from your local council or another person chosen by your council.

People can also get support from an IMHA if:



- They might get some treatment that needs 2 doctors to agree to it - called Section 57 treatment.



- They are a child under the age of 18 who might need Electroconvulsive Therapy - this is when electricity is used to treat someone.

What is the Mental Health Act?

The Mental Health Act is a law that tells people with a mental health problem:



- What their rights are.



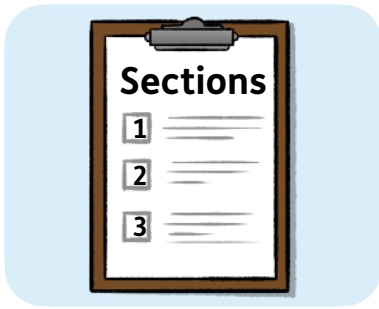
- How they can be treated.



The Mental Health Act gives doctors the power to detain you so you can get treatment.



It is important that you know what happens when you are detained and how you can get support.



The Mental Health Act has different parts called Sections.



These Sections say the different ways that people can be detained.



Different Sections have different rules about how you can be detained.

What is the First Tier Tribunal?



The First Tier Tribunal is a group of people that can make decisions about your care, including **discharging** you.



Discharging means allowing you to leave hospital or other treatment.



The group is independent. This means they think about what is best for you and your care.



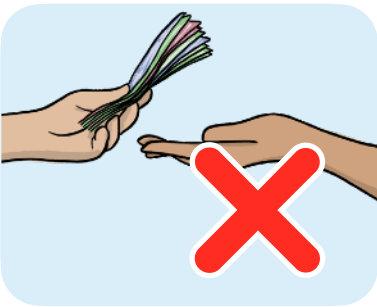
The tribunal meeting will happen at the hospital.



Some people might join the tribunal meeting online on a screen.



The First Tier Tribunal is a chance for you and your lawyer to ask for you to not be detained.



You do not have to pay for the lawyer.

Who is at the tribunal?

Each tribunal has:



- A tribunal judge. This is someone who is a law professional, like a solicitor. They are in charge of running the tribunal.



- A doctor.



- A person who is not a health or law professional but knows about having mental health problems.



Your Responsible Clinician will go to the tribunal meeting.



Your nearest family member can go to the tribunal meeting too.



Your lawyer can be there if you have one.



You do not have to go to the tribunal meeting, but it might happen without you if you do not go.

What can the tribunal do?

The tribunal has powers to say that:



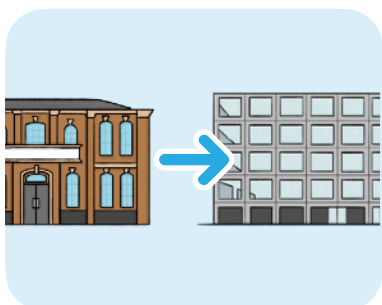
- You can leave hospital.



- You can get treatment in your local area instead of staying in hospital.



- You can leave hospital at some time in the future.



- You can move to another hospital.



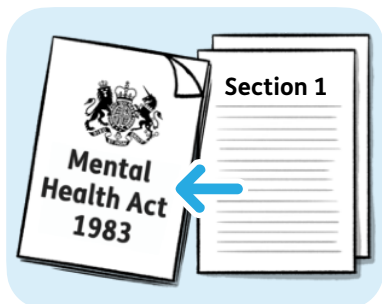
The tribunal can meet again if what they have said does not happen.



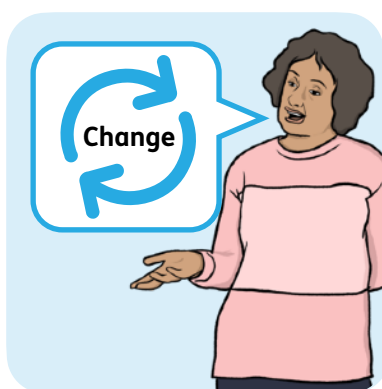
The hospital has to do what the tribunal says.

But the hospital can challenge what the tribunal says if they do not agree.

Who can have a tribunal?



The Mental Health Act has different Sections that say how someone can be detained.



If you are detained under Section 2, 3, or 37 of the Mental Health Act, you can ask for a tribunal to make an **appeal**.

An **appeal** is when you ask for a decision to be changed.

Section 2



If you are detained under Section 2, you should appeal no more than 14 days after the start of being detained.



The tribunal should happen no more than 7 days after you ask to appeal.

Section 3



If you are detained under Section 3, you can appeal 1 time in the first 6 months of being detained.



If doctors decide to ask for more time for your Section 3, you can ask to appeal again.

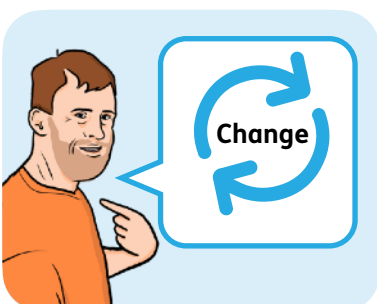


The tribunal should happen no more than 8 weeks after you ask to appeal.

Section 37



If you are detained under Section 37, you can only appeal after being detained for at least 6 months.



You can then ask for an appeal after every time that the Section 37 is given more time.



The tribunal should happen no more than 7 days after you ask to appeal.

Waiting longer for your tribunal



You should be given a tribunal meeting in a certain amount of time after you ask for one.



After you ask for a tribunal, you should not have to wait a long time before your tribunal happens.



If there is a long wait for your tribunal, you may be able to ask for **compensation** because you have not had your rights.

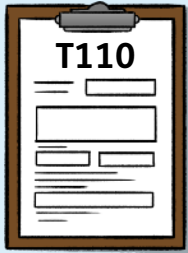


People may get **compensation** when something unfair happens to them. It is usually an amount of money.



This is part of the law called the Human Rights Act 1998.

How to ask for a tribunal



You can ask for a tribunal using a 'T110 form'.



You can ask staff on your hospital ward for a form.



Your Independent Mental Health Advocate can also help you with the form.

What happens at a tribunal



The tribunal is a meeting.
It happens at the hospital.



Your Responsible Clinician and social worker will give information about you to the tribunal.



The tribunal members will ask questions about the information they give.



You may be able to ask questions, and your solicitor can tell you when to do this.



You can give the tribunal information and the tribunal members can ask you questions.



You can ask for a break at any time if you are finding it difficult.



The tribunal might not stop but you can leave the room and have a break.



Your doctor or social worker might ask you to leave the room if they think the information might have a bad effect on your mental health.



At the end of the meeting, the tribunal members will make their decisions in private.



They will then share what they have decided with everyone at the tribunal meeting.

Information at the tribunal



The tribunal members will get reports about you before the tribunal happens.

These usually include:



- A report about your health.



- A nursing report.



- A report about the support you can get from family and friends.



The health professional member of the tribunal can meet you and look at your medical notes before the tribunal meeting.



You do not have to meet with the health professional if you do not want to.



Your solicitor might ask for you to see a doctor who is not part of the hospital. They will write a report.



You and your solicitor should get copies of the reports that go to the tribunal members.



The tribunal members might decide that you cannot see some of the information as it may harm you.

What do Independent Mental Health Advocates (IMHAs) do?

An IMHA can support you to:



- Take part in planning your care.



- Get ready for and understand:
 - Mental Health Reviews - these are when health professionals look at your mental health.



- Tribunals - these are when professionals decide if you can leave hospital.



- Get other support or help to use other services, like getting a house or finding a job.

An IMHA can support you to:



- Talk about any care you might need after being detained.



- Understand how you can tell someone if you are not happy about your care.



- Understand your rights and how to use them.

An IMHA will:



- Listen to what you tell them about your ideas and feelings.



- Support you to speak up.



- Speak up for you if you need them to.



- Make sure you take part in any decisions that are made about you.

How can I get support from an IMHA?



Health professionals should tell patients and their families about IMHA services.



Health and care professionals usually tell the IMHA service if they think a patient needs their services.



n-compass will allow patients or their families to ask for support from an IMHA.

Find out more



The n-compass Digital **Advocacy** Hub gives free and fair information about lots of different parts of life.

Remember, **advocacy** is helping people to speak or speaking up for them.



n-compass runs advocacy services across the north of England.



You can find out if we run services near you on our website:
www.n-compass.org.uk/our-services/advocacy



Or you can speak to us using the Sign video website:
www.ncompass.signvideo.net