

# Mental Health Tribunal WA Strategic Plan 2018 – 2020

## our vision

Accessible justice for those whose rights are affected by decisions made under the *Mental Health Act 2014*.

## our mission

Safeguarding rights and promoting compliance and accountability under the *Mental Health Act 2014* by:

- Ensuring involuntary treatment authorised under the Act strictly complies with the provisions and objects of the Act;
- Determining applications for treatment by electroconvulsive therapy and psychosurgery;
- Addressing non-compliance with prescribed requirements under the Act; and
- Providing independent review of the validity of involuntary treatment orders, the admission of long-term voluntary patients, the validity and appropriateness of nominated persons, and the reasonableness of certain decisions under the Act restricting freedoms and affecting rights.

## our values

- Respect for the law
- Equality before the law
- Fairness
- Impartiality
- Independence
- Accessibility
- Efficiency
- Accountability
- Competence
- Integrity

## strategic objectives

We will achieve high quality patient-centred outcomes in every matter.

We will support stakeholder participation in the hearing process.

We will improve how we work and maximise our use of technology.

We will build our capacity and make best use of our resources.

## action plan

We will achieve high quality patient-centred outcomes in every matter.

- The Tribunal will conduct a respectful, fair hearing resulting in a consistent, just decision in every matter by:
  - ✓ conducting hearings in accordance with the principles of procedural fairness;
  - ✓ deciding matters solely on the application of the relevant law to the facts of the case;
  - ✓ making factual findings based on an independent assessment of the quality and weight of the evidence presented, including the expert evidence;
  - ✓ interpreting the law consistently, impartially and independently;
  - ✓ treating everyone with fairness, courtesy, tolerance and compassion.
- The Tribunal will meet statutory objects, functions, obligations and timeframes in every matter by:
  - ✓ ensuring the Tribunal is validly constituted in every matter;
  - ✓ conducting every matter in accordance with the timeframes set out in the Act;
  - ✓ ensuring Tribunal proceedings, notices, orders and reasons are consistent with the Act;
  - ✓ having regard to the mandatory statutory factors required for each matter type;
  - ✓ ensuring Registry functions comply with the Act.

We will support stakeholder participation in the hearing process.

- The Tribunal will provide patients, carers, families and supporters with the information they need to actively participate in hearings.
- The President will make rules and or publish practice directions to ensure that hearing materials (including medical reports) are available to participants sufficiently in advance of hearings to facilitate proper consideration.
- The Tribunal will provide a range of convenient participation options (including telephone, videoconference, or in-person).
- The Tribunal will ensure participants know their participation at hearings is valuable and contributes to the outcome.
- The Tribunal will make information about the Tribunal's processes publically available and will refer participants to these sources of information.

We will improve how we work and maximise our use of technology.

- The Tribunal will implement a case management system which facilitates, monitors, and reports on compliance with statutory functions and statutory timeframes and supports the transition to electronic delivery of hearing materials.
- The Tribunal will enhance its website to provide greater access to information and Tribunal forms.
- The Tribunal will conduct video/tele-conference hearings as required to meet urgent timeframes and maximise Tribunal efficiency.
- The Tribunal will transition to an electronic records management system to comply with its statutory record-keeping obligations.

We will build our capacity and make best use of our resources.

- The Tribunal will recruit and reappoint members solely on the basis of merit through an open recruitment process.
- The President will develop and implement a mandatory continuing professional development program for members.
- The Tribunal will appoint members on a full time, part time, or sessional basis as required to ensure availability and to maximise Tribunal efficiency.
- Tribunal members will demonstrate mastery of the core competencies identified in the COAT Tribunal Competency Framework, conduct themselves in accordance with relevant Codes of Conduct, and demonstrate commitment to ongoing development.
- The Tribunal Registry will utilise best practice in caseflow management.
- The Tribunal Registry will articulate its administrative processes in a manual which will be publically available.
- The President will commence implementation of the COAT Tribunal Excellence Framework.
- The President will maintain links and exchange ideas with Mental Health Tribunals and other Tribunals throughout Australia.
- All members and staff will demonstrate a commitment to best practice and maximising Tribunal efficiency.