

Mental Health Tribunal Quarterly Statistical Report

Quarter 2: 2020/21

What we measure

We measure the number of hearings we list (hearings listed) as well as the number of hearings conducted (hearings conducted). We measure both because in about one-third of matters, the psychiatrist revokes the involuntary treatment order in the seven days before the hearing. When this happens, the patient no longer requires the hearing and we must discontinue it. The Tribunal cannot fill this vacancy with another hearing because it cannot give the participants enough notice to attend.

When matters are discontinued on this basis, the Tribunal has used its resources to list and prepare for the hearings, even though they were not conducted. These resources are reflected in, and accounted for by, recording the number of hearings listed.

There is no reliable way to predict which orders will be revoked and which will proceed to hearing. The nature of the Tribunal's hearings means the Tribunal cannot fully address the issue by 'over-listing' or by using 'rolling lists' (such as those used by Magistrates Courts). This is an issue which is common to Mental Health Tribunals in other states, which also report on both hearings listed and hearings conducted.

Hearing numbers

Figure 1: 2020/21 Quarterly comparison of the number of hearings listed vs number of hearings conducted

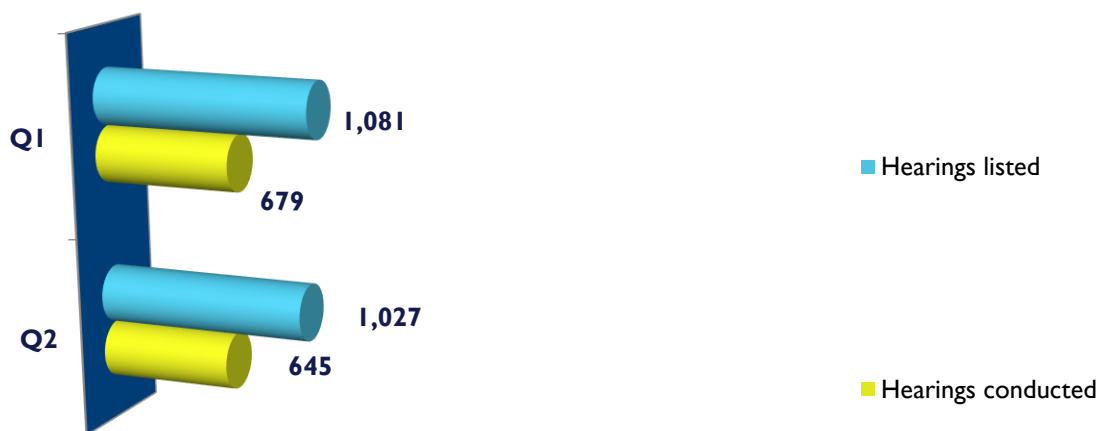
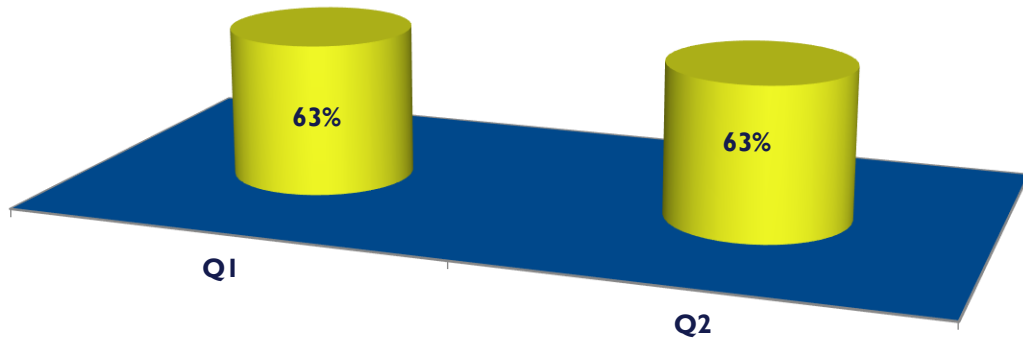


Figure 2: 2020/21 Quarterly comparison of percentage of hearings listed which are conducted



Hearings conducted by matter types

Figure 3: 2020/21 Quarterly comparison of percentage of hearings conducted by matter type

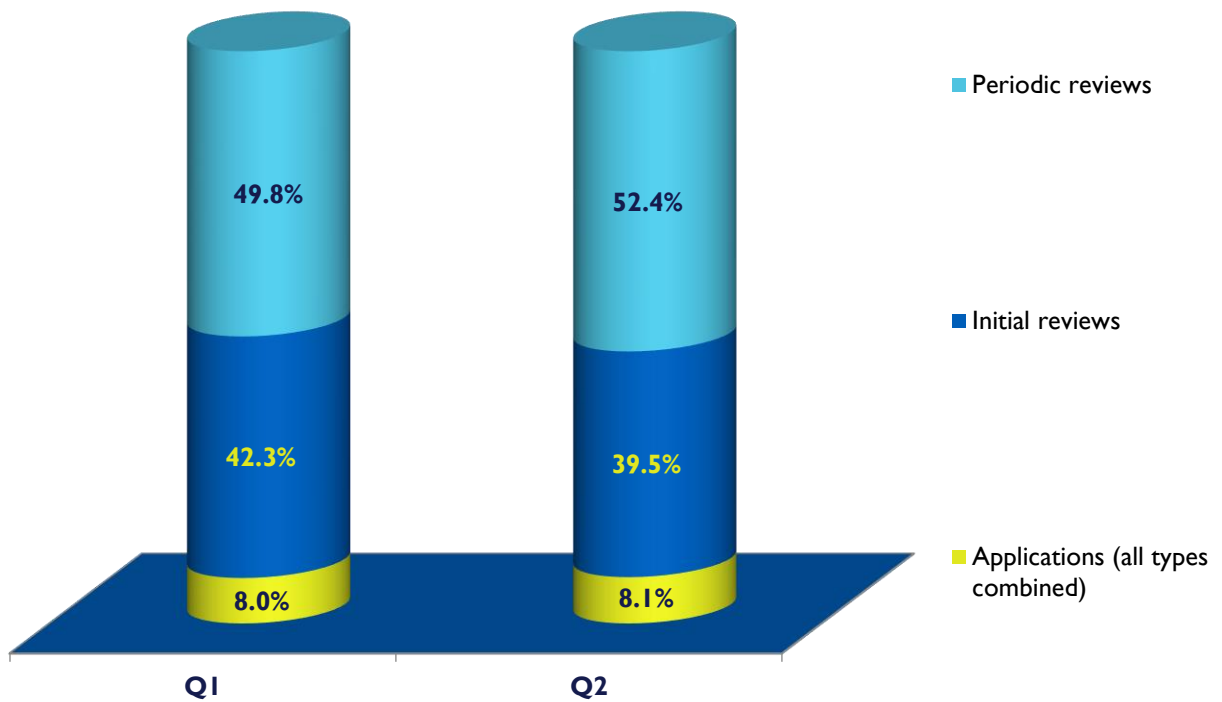
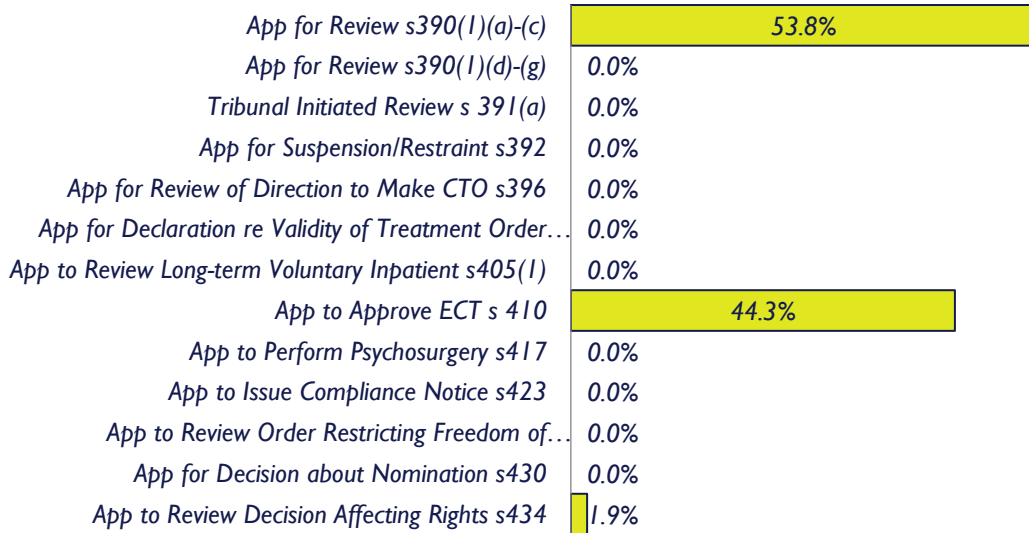


Figure 4: 2020/21 Types of applications made (as a percentage of total applications) (Q1– Q2)



Hearings completed* by outcome

*A 'completed' hearing results in a final order.

Figure 5: 2020/21 Quarterly comparison of hearing outcomes: Completed initial reviews

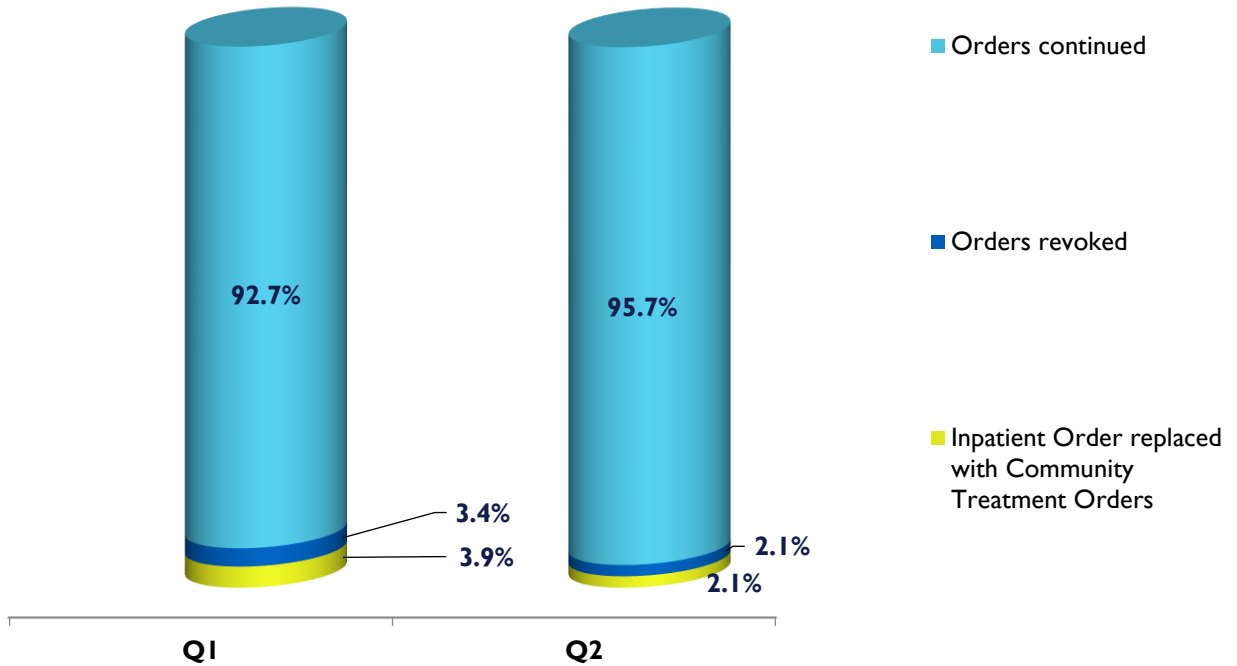


Figure 6: 2020/21 Quarterly comparison of hearing outcomes: Completed periodic reviews

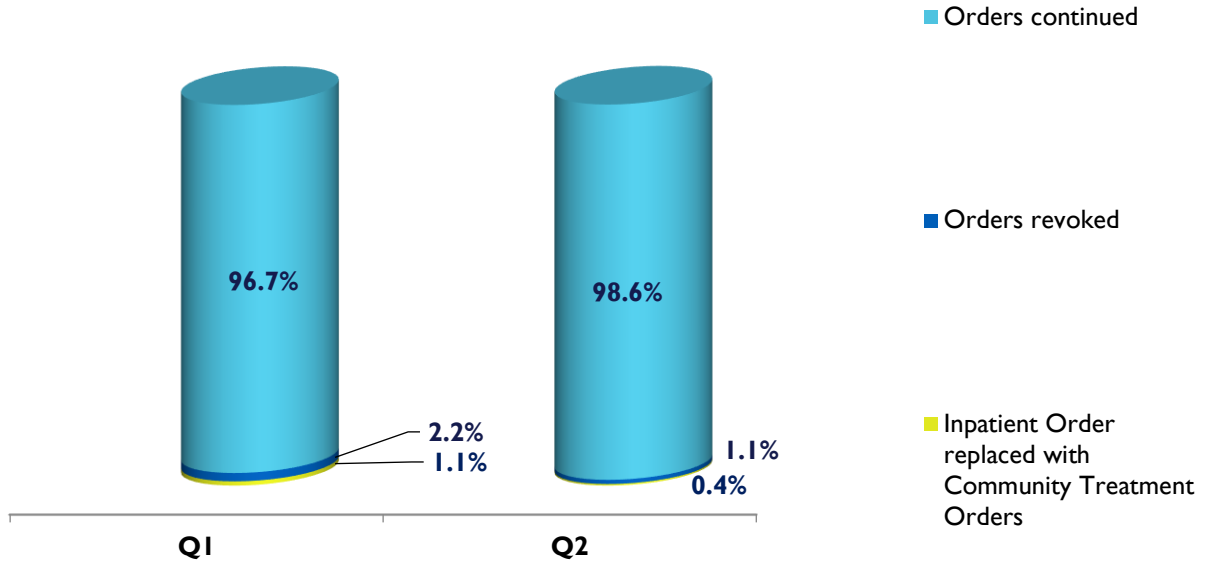
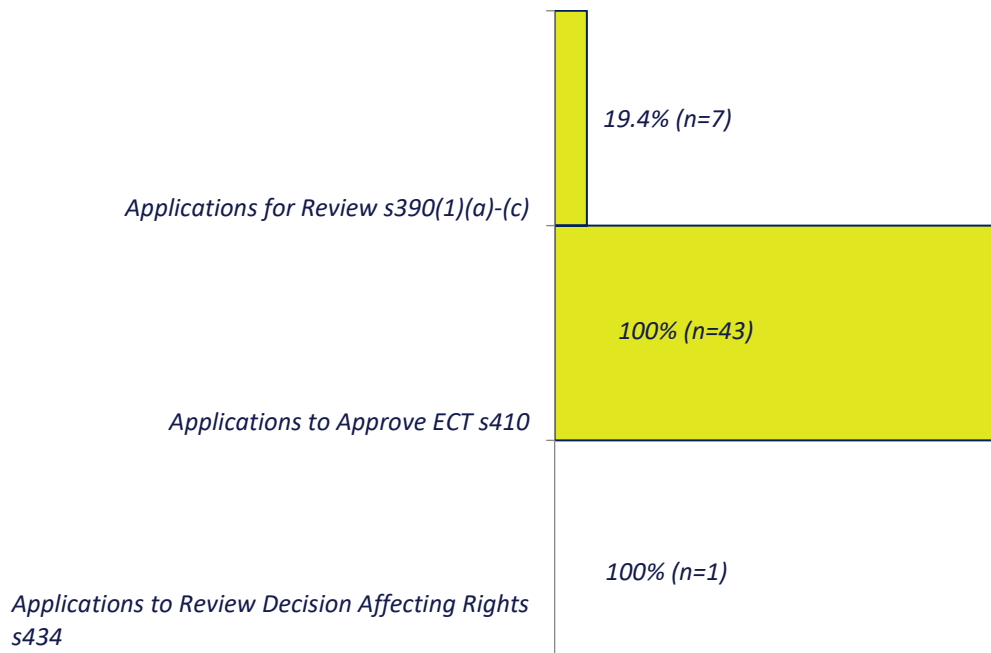


Figure 7: 2020/21 Hearing outcomes: ‘Successful’ applications as a percentage of number of completed applications of that type (Q1 – Q2)

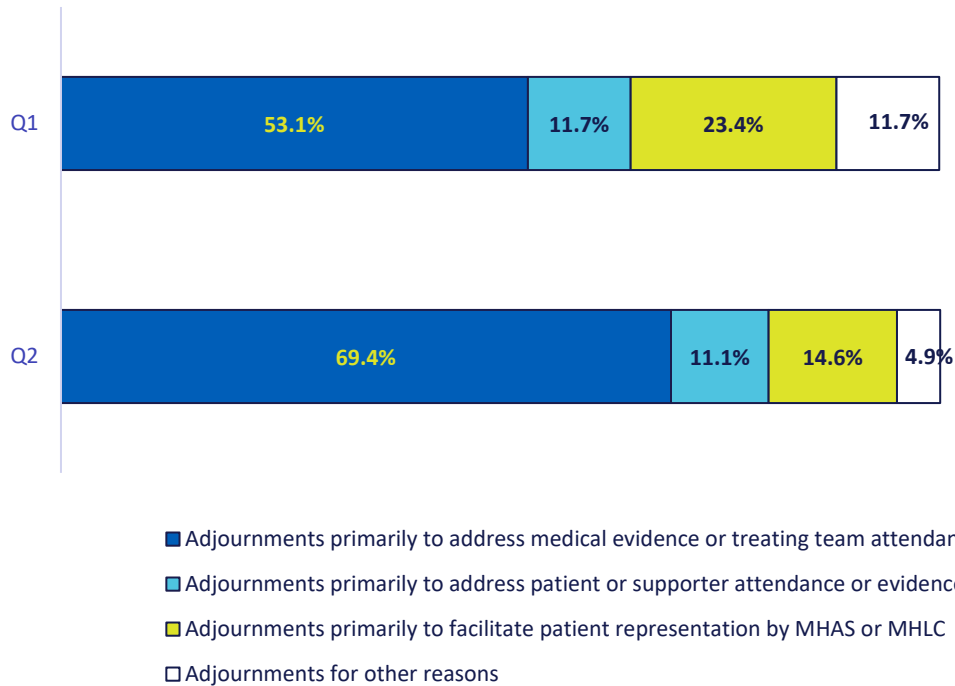
A ‘successful’ application is one in which the Tribunal grants orders in favour of the applicant.



Adjournments

Out of the 1,324 hearings conducted during Q1 – Q2, 272 (22.3%) were adjourned. The 272 hearings adjourned during Q1 – Q2 were adjourned for the following reasons.

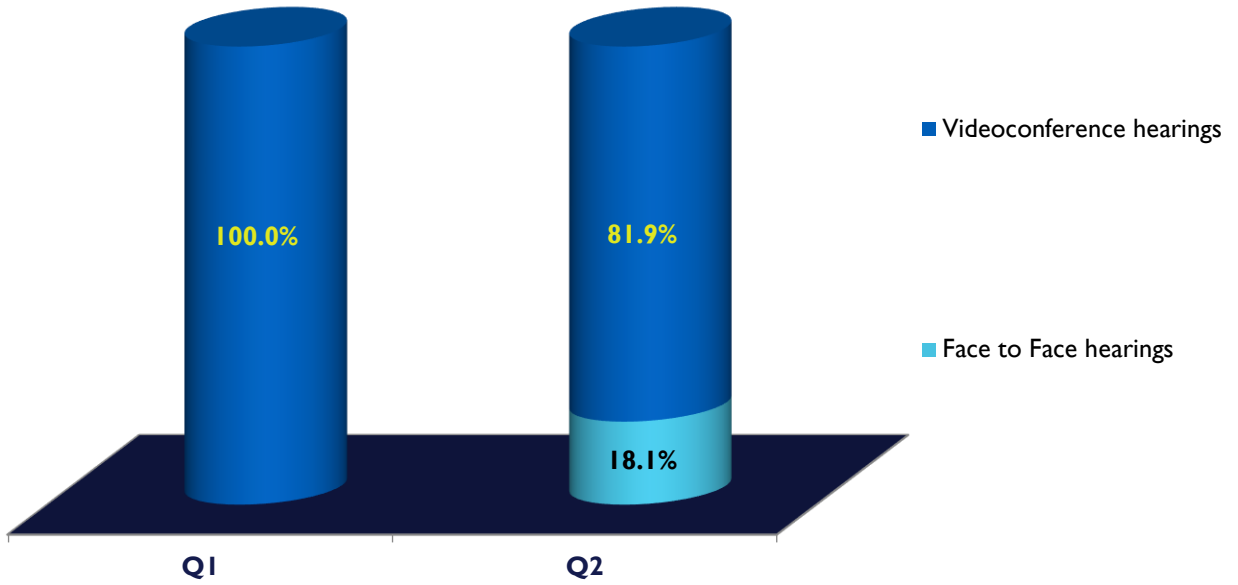
Figure 8: 2020/21 Reasons for adjournments



The President is working with the health services about the rise in adjournments to address medical evidence or treating team attendance.

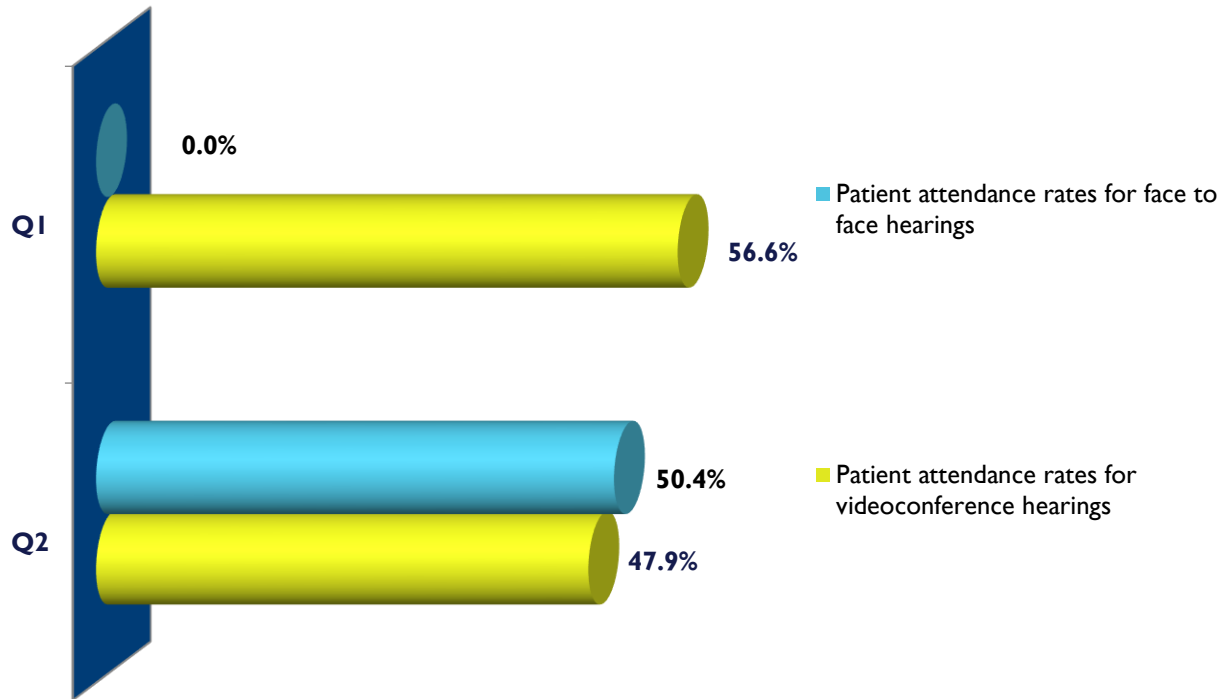
Hearing Mode

Figure 9: 2020/21 Quarterly comparison: Hearing mode



The Tribunal is progressively returning to face to face hearings as it works with the health services continue to address post COVID-19 issues (such as social distancing requirements in hearing rooms).

Figure 10: 2020/21 Quarterly comparison of patient attendance at hearings by hearing mode



Timeliness

Figure 11: 2020/21 Quarterly comparison of compliance with statutory timeframes: Adult patients

	Q1	%	Q2	%	Annual Total	%
Number of Completed Initial Review Hearings s386 Adults	234	%	200	%	434	%
<i>On time (within 35 days of the date of the order)</i>	215	91.9%	145	72.5%	360	82.9%
<i>Late (total)</i>	19	8.1%	55	27.5%	74	17.1%
<i>up to 3 days late</i>	9	3.8%	19	9.5%	28	6.5%
<i>4 - 7 days late</i>	5	2.1%	20	10.0%	25	5.8%
<i>8 - 14 days late</i>	1	0.4%	13	6.5%	14	3.2%
<i>15-21 days late</i>	0	0.0%	1	0.5%	1	0.2%
<i>more than 21 days late</i>	4	1.7%	2	1.0%	6	1.4%
Number of Completed Periodic Review Hearings s387 Adults	253	%	254	%	507	%
<i>On time (no earlier than 21 days before the end of the 3 month review period)</i>	243	96.0%	209	82.3%	452	89.2%
<i>Late (total)</i>	10	4.0%	45	17.7%	55	10.8%
<i>Early (total)</i>	0	0.0%	0	0.0%	0	0.0%
<i>up to 3 days late</i>	6	2.4%	6	2.4%	12	2.4%
<i>4 - 7 days late</i>	4	1.6%	28	11.0%	32	6.3%
<i>8 - 14 days late</i>	0	0.0%	4	1.6%	4	0.8%
<i>15-21 days late</i>	0	0.0%	5	2.0%	5	1.0%
<i>more than 21 days late</i>	0	0.0%	2	0.8%	2	0.4%
Total Number of Completed Adult Initial and Periodic Reviews	487	%	454	%	941	%

Figure 12: 2020/21 Quarterly comparison of compliance with statutory timeframes:
Child patients

	Q1	%	Q2	%	Annual Total	%
Number of Completed Initial Review Hearings s386 Children	13	%	8	%	21	%
<i>On time (within 10 days of the date of the order)</i>	13	100.0%	8	100.0%	21	100.0%
<i>Late (total)</i>	0	0.0%	0	0.0%	0	0.0%
<i>up to 3 days late</i>	0	0.0%	0	0.0%	0	0.0%
<i>4 - 7 days late</i>	0	0.0%	0	0.0%	0	0.0%
<i>8 - 14 days late</i>	0	0.0%	0	0.0%	0	0.0%
<i>15-21 days late</i>	0	0.0%	0	0.0%	0	0.0%
<i>more than 21 days late</i>	0	0.0%	0	0.0%	0	0.0%
Number of Completed Periodic Review Hearings s387 Children	31	%	32	%	63	%
<i>On time (no earlier than 7 days before the end of the 28 day review period)</i>	30	96.8%	30	93.8%	60	95.2%
<i>Late (total)</i>	1	3.2%	2	6.3%	3	4.8%
<i>Early (total)</i>	0	0.0%	0	0.0%	0	0.0%
<i>up to 3 days late</i>	0	0.0%	0	0.0%	0	0.0%
<i>4 - 7 days late</i>	1	3.2%	0	0.0%	1	1.6%
<i>8 - 14 days late</i>	0	0.0%	0	0.0%	0	0.0%
<i>15-21 days late</i>	0	0.0%	1	3.1%	1	1.6%
<i>more than 21 days late</i>	0	0.0%	1	3.1%	1	1.6%
Total Number of Completed Child Initial and Periodic Reviews	44	%	40	%	84	%