Audit of Mental Health Tribunal Affirmed Decisions
Q3-Q4 2024 Reporting

Audit Purpose

Strategic Objective 2 No. 1 in the Mental Health Commission Business Plan 2024 requires the Mental Health Tribunal (MHT) Division to audit a sample of MHT decisions within the confines of the legislative framework.

Audit – Q3-Q4 2024: 60 randomly selected decisions (where the order was affirmed) of mental health tribunals, which took place during 1 July 2024–30 December 2024[1]. Please note a separate audit is done of revoked decisions.

Results

	Tribunal Decision Information	**Answer (out of 20)**		
	Dashboard	**East**	**North-West**	**South**
1	Did the patient attend the tribunal?	Yes 14/20 No 6/20	Yes 16/20 No 4/20	Yes 16/20 No 4/20
2	If no, was the reason for the patient's non-attendance that – a) the patient did not want to attend b) there was an application that the patient should not attend c) other	a) 5 b) 0 c) 1	a) 3 b) 0 c) 1	a) 4 b) 0 c) 0
3	Were Sections 9, 10, 12, 14 [23/24], 15 and 16 complied with?	18/20	20/20	18/20
4	Where Sections 9, 10, 12, 14 [23/24], 15 and 16 were not complied with, but the failure to comply did not affect the substance of the order, were the issues due to the statutory forms being: a) incorrect b) not submitted to the MHC in time c) both d) other	a) 2 b) 0 c) 0 d) 0	a) 0 b) 0 c) 0 d) 0	a) 2 b) 0 c) 0 d) 0

[1] 60 cases amount to 8.4% of MHTs that took place during this period where the order was affirmed at hearing (711 cases in total). Some hearings were held remotely via videoconference call in line with Covid-19 procedures.

5	Did the MHT in their written decision separately address the issues of compliance and mental disorder as required in section 18 (1) of the 2001 Act?	Yes 18[2]/20 No 2/20	Yes 18[3]/20 No 2/20	Yes 20/20 No 0/20
6	Did the legal representative make a submission to the tribunal?	Yes 3/20	Yes 2/20	Yes 4/20
7	Did the MHT record a separate decision on legal submission?	Yes 3/3	Yes 2/2	Yes 4/4
8	Was the decision the subject to a Circuit Court Appeal?	2/20	2/20	4/20
9	Was the decision the subject of a High Court challenge?	0/20	0/20	0/20

[2] In two decisions the issue of mental disorder only was addressed.
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