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STATUTORY INSTRUMENTS

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**2008 No. 2705 (L. 17)**

**TRIBUNALS AND INQUIRIES,  
ENGLAND AND WALES**

**The Mental Health Review Tribunal for Wales Rules 2008**

*Made* - - - - *13th October 2008*  
*Laid before Parliament* *13th October 2008*  
*Coming into force* *3rd November 2008*

**THE MENTAL HEALTH REVIEW  
TRIBUNAL FOR WALES RULES 2008**

PART 1

Introduction

1. Citation and commencement
2. Interpretation
3. Overriding objective

PART 2

General powers and provisions

4. Preliminary and incidental matters
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6. Directions
7. Failure to comply with rules or directions
8. Calculating time
9. Sending and delivery of documents
10. Prohibitions on disclosure or publication
11. Appointment of the tribunal
12. Substitution and addition of parties
13. Representatives

## PART 3

### Proceedings before the Tribunal

#### CHAPTER 1

##### Before the final determination

14. Procedure for applications and references
15. Statements, reports and documents
16. Notice of proceedings
17. Withholding documents or information likely to cause harm
18. Further evidence and submissions
19. Summoning of witnesses and orders to answer questions or produce documents
20. Medical examination
21. Postponement and adjournment
22. Withdrawal
23. Transfer of Proceedings

#### CHAPTER 2

##### Hearings

24. Time and place of hearings
25. Privacy of hearings
26. Request to appear at and take part in a hearing
27. Hearings in a party's absence

#### CHAPTER 3

##### Decisions

28. Decisions

## PART 4

### Correcting and appealing Tribunal decisions

29. Clerical mistakes, accidental slips or omissions and irregularities
30. Application for permission to appeal

## PART 5

### Revocations

31. Revocations  
Signature

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## SCHEDULE — Statements by the Responsible Authority and the Secretary of State

### PART A — Information about patients (other than conditionally discharged patients)

1. The patient's full name (and any alternative names used in...

2. The patient's date of birth and age.
3. The patient's language of choice and, if it is not...
4. The application, order or direction made under the Act to...
5. Details of the original authority for the detention or guardianship...
6. In cases where a patient has been transferred to hospital...
7. Except in relation to a patient subject to guardianship or...
8. If a condition or requirement has been imposed that requires...
9. In the case of a community patient, details of any...
10. The name of the patient's responsible clinician and the length...
11. Where another approved clinician is or has recently been largely...
12. The name of any care co-ordinator appointed for the patient....
13. Where the patient is subject to the guardianship of a...
14. Where there is an extant order of the superior court...
15. Unless the patient requests otherwise, the name and address of...
16. Where a local health board, a National Health Service trust,...
17. In the case of a patient subject to after-care under...
18. The name and address of any person who plays a...
19. The name and address of any other person who the...
  - PART B — Reports relating to patients (other than conditionally discharged patients)
  1. An up-to-date clinical report, prepared for the Tribunal, including the...
  2. An up-to-date social circumstances report prepared for the tribunal including...
  3. The views of the responsible authority on the suitability of...
  4. Where the provisions of section 117 of the Act may...
  5. Any other information or observations on the application which the...
    - PART C — Information about conditionally discharged patients
    1. The patient's full name (and any alternative names used in...
    2. The patient's date of birth and age.
    3. The patient's language of choice and, if it is not...
    4. The history of the patient's present liability to detention including...
    5. The name and address of any clinician responsible for the...
    6. The name and address of any social worker or probation...
      - PART D — Reports relating to conditionally discharged patients
      1. Where there is a clinician responsible for the care and...
      2. Where there is a social worker, probation officer or community...
      3. A report on the patient's home circumstances.
      4. The views of the Secretary of State on the suitability...
      5. Any other observations on the application which the Secretary of...

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Mental Health Review Tribunal for Wales Rules 2008.