

## SCHEDULE

Rule 15

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 patient records).
2. The patient's date of birth and age.
3. The patient's language of choice and, if it is not English or Welsh, whether an interpreter is required.
4. The application, order or direction made under the Act to which the tribunal proceedings relate and the date on which that application, order or direction commenced.
5. Details of the original authority for the detention or guardianship of the patient, including the statutory basis for that authority and details of any subsequent renewal of or change in that authority.
6. In cases where a patient has been transferred to hospital under section 45A, 47 or 48 of the Act, details of the order, direction or authority under which the patient was being held in custody before his transfer to hospital.
7. Except in relation to a patient subject to guardianship or after-care under supervision, or a community patient, the hospital or hospital unit at which the patient is presently liable to be detained under the Act, and the ward or unit on which he is presently detained.
8. If a condition or requirement has been imposed that requires the patient to reside at a particular place, details of the condition or requirement and the address at which the patient is required to reside;
9. In the case of a community patient, details of any conditions attaching to the patient's community treatment order under section 17B(2) of the Act.
10. The name of the patient's responsible clinician and the length of time the patient has been under their care.
11. Where another approved clinician is or has recently been largely concerned in the treatment of the patient, the name of that clinician and the period that the patient has spent in that clinician's care.
12. The name of any care co-ordinator appointed for the patient.
13. Where the patient is subject to the guardianship of a private guardian, the name and address of that guardian.
14. Where there is an extant order of the superior court of record established by section 45(1) of the Mental Capacity Act 2005, the details of that order.
15. Unless the patient requests otherwise, the name and address of the person exercising the functions of the nearest relative of the patient.

<sup>F1</sup>16. ....

**F1** Sch. para. 16 omitted (1.4.2013) by virtue of The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), Sch. 2 para. 121(4)

17. In the case of a patient subject to after-care under supervision, the name and address of the local social services authority and NHS body that are responsible for providing the patient with after-care under section 117 of the Act, or will be when he leaves hospital.

18. The name and address of any person who plays a substantial part in the care of the patient but who is not professionally concerned with it.

19. The name and address of any other person who the responsible authority considers should be notified to the Tribunal.

## **PART B**

### **Reports relating to patients (other than conditionally discharged patients)**

1. An up-to-date clinical report, prepared for the Tribunal, including the relevant clinical history and a full report on the patient's mental condition.

2. An up-to-date social circumstances report prepared for the tribunal including reports on the following—

- (a) the patient's home and family circumstances, including the views of the patient's nearest relative or the person so acting;
- (b) the opportunities for employment or occupation and the housing facilities which would be available to the patient if discharged;
- (c) the availability of community support and relevant medical facilities;
- (d) the financial circumstances of the patient.

3. The views of the responsible authority on the suitability of the patient for discharge.

4. Where the provisions of section 117 of the Act may apply to the patient, a proposed after care plan in respect of the patient.

5. Any other information or observations on the application which the responsible authority wishes to make.

## **PART C**

### **Information about conditionally discharged patients**

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

2. The patient's date of birth and age.

3. The patient's language of choice and, if it is not English or Welsh, whether an interpreter is required.

4. The history of the patient's present liability to detention including details of the offence or offences, and the dates of the original order or direction and of the conditional discharge.

5. The name and address of any clinician responsible for the care and supervision of the patient in the community, and the period that the patient has spent under the care and supervision of that clinician.

6. The name and address of any social worker or probation officer responsible for the care and supervision of the patient in the community and the period that the patient has spent under the care and supervision of that person.

## PART D

### Reports relating to conditionally discharged patients

1. Where there is a clinician responsible for the care and supervision of the patient in the community, an up-to-date report prepared for the Tribunal including the relevant medical history and a full report on the patient's mental condition.
2. Where there is a social worker, probation officer or community psychiatric nurse responsible for the patient's care and supervision in the community, an up-to-date report prepared for the Tribunal on the patient's progress in the community since discharge from hospital.
3. A report on the patient's home circumstances.
4. The views of the Secretary of State on the suitability of the patient for absolute discharge.
5. Any other observations on the application which the Secretary of State wishes to make.

**Changes to legislation:**

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