

Practice Direction

General No.5

Publication of Official Reports



This Practice Direction is issued under s160(3) of the *Mental Health Act 2007* (MHA).

1. Purpose

- 1.1 The purpose of this Practice Direction is to identify an official report and direct when a report may issue. An official report of Tribunal proceedings is an exception to the prohibition on publication of names in s162 of the MHA – refer s162(2). The MHA does not set out what is meant by an “official report” of the Tribunal’s proceedings.
- 1.2 The publication or broadcast of an official report of the proceedings of the Tribunal is not prohibited by the MHA, even if the official report contains the name of a person appearing before the Tribunal (s162(2)).
- 1.3 This Practice Direction makes clear that the President of the Tribunal will authorise the making of an official report referred to in s162(2) MHA.

2. Issuing an Official Report

- 2.1 The President may authorise an official report of the Tribunal’s proceedings in the following circumstances:
 - 2.1.1 Where the Tribunal has decided questions of legal significance with application beyond a particular case.
 - 2.1.2 Where the Tribunal’s proceedings have considered systemic issues relating to the provision of care and treatment of a person with a mental illness which have application beyond a particular case.
 - 2.1.3 Where the Tribunal’s proceedings have considered matters of concern in relation to the care and treatment of an individual person with a mental illness.
 - 2.1.4 Where the case may be instructive to those who appear before the Tribunal.
 - 2.1.5 Where issues of public interest arise.
 - 2.1.6 Such other circumstances as the President thinks fit.
- 2.2 An official report will generally take the form of a redacted version of the Tribunal’s Reasons for Decision which issue to parties after the hearing and need not include the whole of the Tribunal’s reasons for decision, it may be limited to those parts of the proceedings which have a broader public interest.
- 2.3 The official report may be edited to de-identify the patient, witnesses or other persons involved in Tribunal proceedings, including victims in Forensic Division matters. Redactions of sensitive information may also be made.

3. Identifying an Official Report

- 3.1 An official report will be headed “This is an official report of the proceedings of the Mental Health Review Tribunal authorised by the President of the Tribunal on [date].”
- 3.2 An official report of the Tribunal’s proceedings may be published on the Tribunal’s website or otherwise published as directed by the President.

Magistrate Carolyn Huntsman
President

Dated: March 2025

Version:	President:	Date:
1. Practice Direction Publication of Official Reports of the Tribunal’s Proceedings	Dan Howard	June 2013
2. Practice Direction: General No.5 Publication of Official Reports Reviewed, renamed and reformatted	Magistrate Huntsman	March 2025
3. Next scheduled review		June 2026