

# Appendix A: First-tier Tribunal data

The First-tier Tribunal (Mental Health) has provided its activity and outcome statistics for the year 2024/25.

The Tribunal is responsible for handling applications to discharge patients detained in psychiatric hospitals. It also handles applications to change community treatment orders and the conditions placed on a 'conditional discharge' from hospital.

The overall activity of the Tribunal remains relatively constant year on year. Rates of discharge are consistent with past years. Comparing the data for 'total discharge by Tribunal' against 'no discharge', the Tribunal discharged patients in about 10% of its decisions relating to detention overall. Around 37% of appeals by restricted patients resulted in some form of discharge decision – in most cases using the powers given to the Tribunal to order the conditional discharge of restricted patients. For detentions other than those subject to restriction orders, patients detained under the assessment and treatment power (section 2) continue to be roughly twice as likely to successfully appeal as patients detained under treatment powers (section 3 and unrestricted hospital orders) (figure 10).

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**Figure 10: Outcomes of applications against detention to the First-tier Tribunal (Mental Health), 2024/25**

Activity of Mental Health Tribunal

	Section 2	Other unrestricted	Restricted	All detained patients
Applications	10,326	15,842	3,167	29,335
Withdrawn applications	1,244	3,715	1,010	5,969
Discharges by clinician prior to hearing	3,662	5,652	9	9,323
Cleared at hearing (see notes 1, 2)	7,636	11,457	2,458	21,551
Heard (see note 3)	6,978	8,238	2,461	17,677

#### Decision of Mental Health Tribunal

	Section 2	Other unrestricted	Restricted	All detained patients
Absolute discharge	422	301	72	795
Delayed discharge	199	120	1	320
Conditional discharge	0	0	438	438
Deferred conditional discharge	0	0	78	78

	Section 2	Other unrestricted	Restricted	All detained patients
Total discharge by Tribunal	621	421	589	1,631
No discharge	5,185	8,761	1,380	15,326

Source: HM Courts and Tribunal Service

1 The number of hearings and the number of applications will not match as hearings will be outstanding at the end of each financial year.

2 We are unable to distinguish CTO hearings disposed from the total number of other unrestricted hearing disposals.

3 Includes all cases heard irrespective of outcome including adjourned in the reporting period. Based on decisions both before and after the hearing.

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Just over 3% of decisions in relation to CTOs discharge the patient. This is generally less successful than for detained patients overall, but only marginally less when compared with the 'other unrestricted' detained group, which may be the most appropriate comparison.

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**Figure 11: Outcomes of applications against CTOs to the First-tier Tribunal (Mental Health), 2024/25**

Applications	4,869
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Withdrawn applications	879
Hearings	4,525
Oral hearings (see note 4)	3,890
Paper reviews (considered on papers and therefore patient not present)	635
Discharges by Tribunal	122
No discharge by Tribunal	3,554

Source: HM Courts and Tribunal Service

4 Oral hearings is based on the total number of hearings less the manual count of paper reviews.

Note: The details are subject to inaccuracies inherent in any large-scale recording system and reflect the best data that is available at the time of publication.