

Civil news: fee rules change for mental health remote hearings

News story

Contract changes made to allow payment of adjourned hearing fee where a mental health tribunal is listed for a remote hearing.



We are amending the 2018 standard civil contract to allow the adjourned hearing fee to be paid for tribunals listed for a remote hearing.

This follows confirmation earlier this year that the mental health tribunal level 3 fee is payable for representation at remote hearings.

This was done in response to tribunal process changes initiated by HM Courts and Tribunals Service as a result of the coronavirus pandemic.

What are the new rules?

It will now be possible to claim the 'adjourned hearing fee' in some circumstances without travelling to the site of the mental health tribunal. The exact requirements are set out in the mental health category specific rules to the 2018 standard civil contract.

These include providers having to incur one or more of the following costs for a remote hearing that was adjourned to another day or cancelled:

- travel costs to be with the client during the hearing
- advocacy costs by putting the case for the client and/or
- attendance costs, where you attended the hearing remotely but it was adjourned after 15 minutes had elapsed since the scheduled start time

When do the new rules apply?

The new rules apply to any remote hearing that was adjourned, postponed or cancelled after 19 March 2020. We will apply the new rules to all cases we process, including any reviews and appeals.

Further information

[Standard civil contract 2018](#) – to download ‘category specific rules mental health’ (see 9.85A) (July 2020)

Published 16 July 2020