



**Paul Harbison, Associate Solicitor**

Paul is an Associate solicitor in our mental health law team and specialises in all aspects of mental health law representing clients who are detained under the Mental Health Act.

*Our 'cuppa with' series is an informal chat with one of our team to give a deeper understanding into their area of law and share some little-known legal facts!*

**1. Tell us about your job**

I enjoy representing and helping people who otherwise may be unable to represent themselves in proceedings. Many of our clients are at their lowest when we meet with them. Our clients are usually detained in hospital against their will. This can be distressing and they may not understand why they are there.

My job is to meet with our clients and discuss why they have been admitted to hospital or why they are being treated in the community, and to advise them as to their legal options if they are objecting to their detention or treatment.

My role involves meeting with clients who are often distressed and confused, and helping them make sense of what is happening to them. I advise clients and prepare appeals to the Mental Health Tribunal, representing them at their tribunal hearing and putting forward their views and arguments for discharge in what is a complex area of law.

**2. What does a typical day entail?**

No two days are the same. In general, a working day is taken up by representing clients at a mental health tribunal – since the pandemic these can be online or held in person face to face.

I visit various hospitals across the region to meet new clients or advise clients in relation to their tribunal. I will also need to spend time preparing for any tribunals taking place the following day. It is not a 9-5 job and I am out and about rather than desk based other than a couple of hours admin. A Tribunal hearing usually takes between one and a half and three hours. However, it is not uncommon for more complex cases to take much longer. The longest hearing I have been involved in lasted for eight hours.

**3. What would people be most surprised to find out about your job?**

- A mental health tribunal as well as the associated meetings and drafting of documents is free to the client, it is covered by Legal Aid, regardless of income or savings.
- Mental health problems can affect anyone at any time, we have clients from children through to pensioners.
- People who are detained under the mental health act and are in hospital can apply to the Tribunal which has the power to order the patient's discharge.

#### **4. Can clients represent themselves at a Tribunal?**

Patients can represent themselves at a tribunal. However, this is a complex area of law and it is always in your best interest to have legal representation. Patients are often more than capable of speaking for themselves and can say what they want, their representative is specifically qualified and experienced in asking questions of witnesses and speaking to the tribunal about complex points of law and procedure.

At David Gray Solicitors we have the largest dedicated mental health team in the North East of England and represent clients at hospitals between the North East and Cumbria. We are all accredited by the Law Society to provide advice and representation in all matters relating to detention under the Mental Health Act.

#### **Tell us some little-known facts about this area of law...**

- Since COVID there has been an increase in those detained
- Over recent years, there has been a reduction in the number of active wards
- The Government is pressing ahead with plans to completely overhaul the Mental Health Act

If you would like to speak with Paul or one of the Mental Health team, give us a call on 0191 232 9547 or visit [www.davidgray.co.uk](http://www.davidgray.co.uk)