

## **GUIDANCE FOR COMPLETING YOUR FORM 'REQUEST TO WITHDRAW AN APPLICATION TO THE TRIBUNAL'**

If you change your mind about proceeding with your application to the Tribunal you can ask to withdraw it. Your request must be made in writing either by you or by your solicitor if you have chosen to be legally represented. Your withdrawal does not affect your entitlement to apply in the future. If you have been referred to the Tribunal you cannot withdraw that referral.

**If you have no legal representative** you will need to complete form MHRTW18 It is important that you complete the form as fully as you can. In particular you need to say what your reasons are for not wanting your application to proceed further. The Tribunal administration will then arrange for one of the legal panel members to the Tribunal to come and talk to you about your request. This is simply to ensure that you understand your rights and are clear about the process. Until the Tribunal agrees to your request to withdraw your application, it will remain active.

**If you have a legal representative** you should contact them to tell them that you wish to withdraw your application. The legal representative will arrange to speak with you to advise you about the consequences of withdrawing and your legal rights if you do. The legal representative will assist you to complete your part of the application form and will also complete their part before returning it to the Tribunal. The application will then be considered by either the President or a Deputy President of the Tribunal whom will decide whether to accept it. Until the request is accepted the arrangements for your tribunal hearing remain in place.

### **What to do with your form once completed:**

- You can post it to the address on the form
- You can e-mail it
- You can fax it
- You can hand it to your solicitor or Independent Mental Health Advocate, if you have one
- You can ask a member of the nursing staff to hand it to the Mental Health Act Administrators at the hospital to send to us
- If you are not in hospital, you can give the form to your care co-ordinator who can forward it to the Tribunal office

If you have any enquiries do not hesitate to contact the Tribunal office on 0300 025 5328.

This document is also available in Welsh.

The Mental Health Review Tribunal for Wales welcomes receiving correspondence in Welsh or English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding. The Tribunal also welcomes phone calls in Welsh or English.

You may submit forms, documents and make written representations to the Mental Health Review Tribunal in Welsh or English.