
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 178

The Care Tribunal Regulations (Northern Ireland) 2005

PART V

HEARING

Procedure at the hearing

- 21.**—(1) The Care Tribunal may regulate its own procedure.
- (2) At the beginning of the hearing the Chairman must explain the order of proceedings which the Care Tribunal proposes to adopt.
- (3) The parties may be represented or assisted at the hearing by any person.
- (4) If either party fails to attend or be represented at the hearing, the Care Tribunal may hear and determine the case in that party's absence.

Hearing to be in public

- 22.**—(1) The hearing must be in public except in so far as any person is excluded under regulation 20.
- (2) Whether or not the hearing is held in public any person whom the Chairman permits to be present in order to assist the Care Tribunal is entitled to attend the hearing.
- (3) Whether or not the hearing is held in public, any person whom the Chairman permits to be present in order to assist the Care Tribunal may remain present during the Care Tribunal's deliberations, but must not take part in the deliberations.

Evidence

- 23.**—(1) The Care Tribunal may consider any evidence, whether or not such evidence would be admissible in a court of law.
- (2) The applicant has the right to give evidence at the hearing in person, and any other witness may do so unless the Chairman has directed otherwise.
- (3) No child may be asked any question except by the Care Tribunal or a person appointed under regulation 18(2)(b).
- (4) Where a direction has been made under regulation 18 that paragraph (5) of that regulation shall apply to any vulnerable adult, the vulnerable adult may not be asked any question except by the Care Tribunal or a person appointed under regulation 18(5).
- (5) The Care Tribunal may require any witness to give evidence on oath or affirmation which may be administered for the purpose by the Chairman or the Secretary.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) The provisions of Sections 38(5) and 43 of the Arbitration Act 1996⁽¹⁾ (administration of oaths, securing the attendance of witnesses) shall apply to the proceedings before the Care Tribunal and the Chairman of the Care Tribunal shall have the same powers under those provisions as if he were an arbitrator or a party to a reference under an arbitration agreement.