
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 178

The Care Tribunal Regulations (Northern Ireland) 2005

PART IV

CASE MANAGEMENT

Directions

6.—(1) If either party has requested that there shall be a preliminary hearing, or if the Chairman considers that a preliminary hearing is necessary, the Chairman shall fix a date for the preliminary hearing, as soon as possible after the expiry of the 5 working days referred to in paragraph 6 of Schedule 1, 2, 4, or 6 or paragraph 9 of Schedule 3, or 5, as the case may be.

(2) At the preliminary hearing, or if a preliminary hearing is not to be held, as soon as possible after, and in any event not later than 10 working days after, the expiry of the 5 working days referred to in paragraph (1) the Chairman –

- (a) shall give directions as to the dates by which any document, witness statement or other material upon which any party is intending to rely shall be sent to the Care Tribunal, and, if the Chairman considers it appropriate, to the other party;
- (b) may give any other direction in exercise of his powers under this Part which he considers appropriate; and
- (c) shall, where the applicant has requested that the case be determined without an oral hearing, give a direction as to the date, which shall be not less than 10 working days after the last date on which he has directed that any document, witness statement or other evidence be sent to the Care Tribunal, by which the parties shall send any written representations regarding their appeal to the Care Tribunal.

(3) If, at any time it appears to the Chairman that the appeal is of such a nature that it shall be determined at an oral hearing, he may (after considering any representations from the parties) direct that such a hearing shall be held but otherwise the case shall be determined without an oral hearing if the applicant has so requested.

(4) The Chairman may direct that exchange of witness statements or other material shall be simultaneous or sequential, as he considers appropriate.

(5) The Secretary shall notify the parties as soon as possible in writing of any directions the Chairman gives in writing under paragraphs (2) and (3) above.

(6) The Secretary shall notify the parties as soon as possible, and in any event not less than 5 working days before the hearing of the date, time and place of any preliminary hearing.

(7) The parties may be represented or assisted at any preliminary hearing by any person.