
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Investigatory Powers Tribunal Rules 2018

PART 2

Proceedings and complaints

Forms of hearing and consideration

10.—(1) The Tribunal is under no duty to hold a hearing, but they may do so by holding, at any stage of their consideration—

- (a) a hearing at which the complainant and the respondent may make representations, give evidence and call witnesses;
- (b) a hearing in the absence of the respondent at which the complainant may make representations, give evidence and call witnesses, or
- (c) a hearing in the absence of the complainant at which the respondent may make representations, give evidence and call witnesses.

(2) A hearing held under paragraph (1) may be held wholly or partly in private.

(3) The Tribunal may direct the complainant or respondent to make representations on the reasons for requesting the Tribunal to hold a hearing (in whole or in part) in the absence of the respondent or (as the case may be) the complainant.

(4) In exercising their discretion to hold a hearing under paragraph (1) the Tribunal must endeavour, so far as is consistent with the general duty imposed on the Tribunal by rule 7(1), to conduct proceedings, including any hearing, in public and in the presence of the complainant.

(5) The Tribunal may require the respondent or any other person specified in section 68(7) of the Act to—

- (a) attend a hearing held under paragraph (1)(c), and
- (b) give evidence at such a hearing.