
STATUTORY INSTRUMENTS

1992 No. 2882

Faculty Jurisdiction Rules 1992

PART IV

MATTERS WITHIN THE CHANCELLOR'S JURISDICTION

Evidence

20.—(1) The evidence at the hearing of any proceedings for a faculty shall be given orally save that the chancellor upon application by a party or of his own motion may by order direct;

- (a) that all or any part of the evidence may be given before an examiner appointed by him or by affidavit, and
- (b) subject to paragraphs (2) and (3) below, that a written statement may be given in evidence without the attendance of the maker of the statement.

(2) An application to submit a written statement in evidence at the hearing may be made by or on behalf of any person who is not a party to the proceedings and the chancellor may, if he thinks fit, give leave for a written statement to be admitted in evidence without the attendance of the maker of the statement provided that a copy of the written statement is lodged at the registry and that a copy is delivered by that person to the parties not less than twenty-one days before the date of the hearing.

(3) Notwithstanding anything in paragraph (1) above, the chancellor shall be entitled on receiving a copy of a written statement to require the attendance at the hearing of the maker of the statement for cross-examination by the parties, and if any party on receiving a copy of the statement applies to the chancellor for an order requiring the attendance of the maker of the statement at the hearing for cross-examination, the chancellor may make an order accordingly, and in the event of the failure of the maker of the statement to attend the hearing when required to do so under this paragraph, his written statement shall not be admitted in evidence save in exceptional circumstances with the leave of the chancellor.