
STATUTORY INSTRUMENTS

2015 No. 1568

The Faculty Jurisdiction Rules 2015

PART 12

Conduct of hearings

Other means of giving evidence

12.3.—(1) The court may direct—

- (a) that all or any part of a witness's evidence is to be given—
 - (i) before an examiner appointed by the court; or
 - (ii) by affidavit;

- (b) that a witness statement or a report (in the case of an expert witness) is to be received in evidence without the attendance of the maker of the statement or report.

(2) If the court makes a direction under paragraph (1)(b) a direction must also be given requiring the witness statement or report to be served on the registrar and the parties not less than 21 days before the date of the hearing

(3) Where, following a direction under paragraph (1)(b), a witness statement or report is served in accordance with paragraph (2), the court may direct that, notwithstanding that direction, the maker of the witness statement or report attend the hearing for cross-examination.

(4) If the court makes a direction under paragraph (3) but the maker of the witness statement or report does not attend the hearing, the witness statement or report is not to be admitted in evidence unless the court considers that there are exceptional circumstances to justify its being admitted.