



## **CILEx Regulation Appeals Panel: Remote Hearings Guidance note**

### **Introduction**

1. The way in which CILEx Regulation Appeals Panel hearings are conducted is a matter for the Panel, operating within the Enforcement Rules. The Panel has the power under Rule 35(5) of the Enforcement Rules to conduct the hearing in such manner as it considers suitable to the clarification of the issues before it and generally to the just handling of the proceedings.
2. This note sets out guidance for attendees and participants of CILEx Regulation's Appeals Panel hearings, which are held remotely via video link. It is not intended to replace or vary the Enforcement Rules.
3. Unless the Panel has directed that a matter should be heard in private (either in whole or in part) Panel hearings are heard in public. A member of the public who wishes to attend can email [info@cilexregulation.org.uk](mailto:info@cilexregulation.org.uk) to arrange remote access to the hearing.
4. Separate joining instructions will be provided with guidance on how to use the Panel's chosen video platform and the equipment required.

### **Preparing for the hearing (parties and witnesses)**

5. Either the Clerk to the Panel or CILEx Regulation will email all participants to confirm the date, time and joining instructions for the hearing.
6. You will be asked to confirm your availability for a test call prior to the hearing. The purpose of the test call is to ensure that you are able to join a remote hearing and check practical matters, such as lighting, sound, background, camera angle and use of equipment.
7. Please dress for the hearing as you would if you were attending in person.
8. Please try and keep your background on screen as neutral as is possible in your circumstances.
9. You should ensure that there is adequate lighting and that you can be seen clearly on the screen without any obstructions.
10. Make sure you have a clean copy of the hearing bundle, including your witness statement(s) and exhibits in readiness for the hearing. CILEx Regulation usually sends the hearing bundle by email before the hearing. If you require hard copies of the papers, please let CILEx Regulation know at least 7 days before the hearing date.

11. You may be accompanied by a representative at the hearing but will need to be alone when giving your evidence. If you need support from anyone while giving your evidence, please let CILEx Regulation know before the hearing to allow the necessary arrangements to be made.

### **The hearing**

12. The public must turn off their microphones to ensure that any background noise and feedback is kept to a minimum. They may also be asked to turn off their cameras if the Panel consider it necessary.
13. The Chair of the Panel or the Clerk should establish a speaking protocol at the outset. Participants should take turns to speak as they are invited to do so by the Chair or Clerk. Only one person should be speaking at any one time.
14. During the hearing parties and witnesses should use their 'mute' function when they are not addressing the Panel so as to cut out background noise. If they wish to draw the clerk's attention they can use the "reactions" feature to raise a hand.
15. If you experience any technical problems during the hearing, please inform the Clerk using the chat function (speech bubble icon) on your screen. The chat function must not be used for any other reason.
16. If you are disconnected from the hearing and cannot reconnect, please call CILEx Regulation on 01234 845770, ask to speak to a member of the Investigations Team and explain you have been disconnected from a Panel meeting.
17. If any party experiences technical difficulties that prevent them from participating in the hearing, the hearing will be paused by the Clerk to allow the issues to be resolved.

### **Breaks**

18. Regular breaks will be arranged by the Clerk. Any party may request an additional break during the hearing using the method directed by the Clerk at the beginning of the hearing.

### **Giving evidence (parties and witnesses)**

19. You will be required to swear an oath or to make an affirmation before giving your evidence. You will be sent the relevant text in advance of the hearing. When you are asked to give your evidence, the Clerk will prompt you to read your chosen oath or affirmation.

20. If you choose to swear an oath on a holy book or sacred object, you will need to use your own. Regardless of whether you choose to take an oath or affirm, or how you do it, you will still be bound to tell the truth.
21. You will be asked questions based on your witness statement if you have one. You must ensure that you have a clean copy of your witness statement(s) and exhibits in front of you when giving evidence as you may be asked to refer to it.
22. You should be alone when giving your evidence, but if you need support from anyone while doing so, please let CILEx Regulation know in advance of the hearing. You should not speak with anyone about the case until the Clerk has informed you that you have finished giving evidence.

### **Recordings**

23. All CILEx Regulation's Appeals Panel hearings are recorded. The Clerk is responsible for managing the recording. An audio-visual recording will be made of the hearing unless Panel directs otherwise.
24. Recording will be paused during any breaks and while the Panel members retire to consider their decision.
25. Parties, witnesses and members of the public are not allowed to electronically record the remote hearing, or take any screen shots of the proceedings, without the Panel's express permission.
26. A copy of an audio-only recording, or written transcript of the hearing may be requested from CILEx Regulation after the hearing for a fee.