

## 11. Procedure at a Disciplinary Panel hearing

- 11.1 The hearing shall normally take place in private except that the Chairman of the Disciplinary Panel may decide to hold a hearing in public provided that:
- 11.1.1 before making the decision he has consulted the parties involved and has taken their wishes into account; and
  - 11.1.2 he is satisfied that it is in the interest of the sport to do so having first considered the interests of the parties, any particular need for privacy, the rights of others and the need to encourage others to co-operate with judicial proceedings in general
  - 11.1.3 any requests to observe the proceedings, if open proceedings are not sanctioned shall be submitted to Chairman of the Panel and his decision shall be final.
- 11.2 The procedure for the hearing shall be flexible and shall be at the discretion of the Chairman of the Disciplinary Panel who may make such orders as he feels necessary to ensure the orderly and effective conduct of the hearing. There will be a reading of the full Notice of Charge, and the Respondent will be asked whether the charges are admitted or denied. The Chairman of the Disciplinary Panel will then outline the basic procedure of the hearing going forward.
- 11.3 The Disciplinary Panel will take into account the principles of Natural Justice which must be applied in any hearing and the principles of Proportionality which shall apply to the imposition of any sanction, a summary of which is set out in the document 'Principles of Natural Justice'. A recommended outline procedure which should be adopted by the Disciplinary Panel is set out within the document 'Procedure at Disciplinary Hearings'
- 11.4 If he feels that it is necessary bearing in mind all the circumstances surrounding the case, the Chairman of the Disciplinary Panel may, in his discretion, invite an independent person to act as adviser to the Disciplinary Panel. The cost of this will be borne by the Appropriate Authority.