

ANNEX 4

CILEx REGULATION POLICY ON ADJOURNMENTS OF DISCIPLINARY HEARINGS

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1. CILEx Regulation aims to dispose of cases expeditiously. It is in the interests of the public, Applicants and Relevant Person that cases are dealt with in a timely manner. CILEx Regulation aims to refer 80% of cases to the Professional Conduct Panel (PCP) within 6 months of a complaint being made and 100% of cases to the PCP within 9 months of the complaint being made. Where cases are referred to the Disciplinary Tribunal (DT), CILEx Regulation aims to bring 65% cases to hearing within 6 months of the referral being made and 100% within 9 months of the referral.
2. Adjournments will not be granted as a matter of course. Good reasons with supporting evidence must be submitted to justify any delay.
3. An application for adjournment must be submitted in writing and include reasons for the request. Supporting evidence, such as medical evidence, attempts to contact witnesses, or steps taken to meet the hearing date should be provided. If evidence is not available details must be given as to what steps were taken.
4. A copy of the request must be sent to all parties to the proceedings. A minimum of 2 working days will be allowed for responses to be submitted to the Panel scheduled to hear the case via the Clerk. Another Panel may consider the application if it is reasonable to do so.
5. The Panel will take into account the following factors in determining an application for adjournment:
 - Reasons for the adjournment and supporting evidence, including the impact of it on all the parties.
 - Can alternative arrangements be made, such as seeking alternative representation?
 - What attempts have been made by the party seeking adjournment to prepare for the hearing?
 - The interests of the public in hearing the case. CILEx Regulation has obligations to bring cases to an expeditious conclusion.
 - The interests of the party seeking the adjournment, including whether an adjournment will enable the Panel to have the benefit of evidence at a hearing which would otherwise not be available.
 - The length of adjournment sought. The Panel may grant a shorter adjournment than was requested where appropriate.
 - Is the application for adjournment opposed? If so what are the reasons? Is it in the interests of the parties and the public to adjourn the case?

6. If a request for adjournment is refused, the case will proceed to the PCP or DT on the date it was originally to proceed. If a request for adjournment is granted, the matter will be put to the next meeting of the PCP or a new hearing date will be set by the Panel with agreement of the parties to the DT proceedings.
7. An order for costs may be made associated with the hearing having to be adjourned.