

Deciding how to hold Medical Practitioners Tribunal hearings

1. This document sets out the factors that will be taken into account when deciding whether a hearing will be held at the MPTS hearing centre at St James' Buildings, Manchester (referred to below as 'SJB') or as a virtual hearing.
2. For the avoidance of doubt:
 - a. **Virtual hearings** will involve all participants (including doctors, legal representatives, witnesses and tribunal members) attending the hearing remotely;
 - b. **SJB hearings** will involve doctors, legal representatives and tribunal members attending the hearing at SJB. Some or all witnesses may attend remotely, subject to permission being given by a Case Manager or the Tribunal.
 - c. **Hybrid hearings**, where some participants may need to participate remotely while others attend at SJB, depending on their individual circumstances. In hybrid hearings, each participant will participate from a single location for the duration of their involvement in the hearing.
3. Our priority is to ensure that we carry out our statutory duty to protect the public by holding hearings where it is fair and safe to do so. We will carefully consider representations submitted by doctors and legal representatives via our listing and case management process.
4. The following factors will be considered when deciding whether to hold a hearing virtually or at SJB:
 - a. The needs of vulnerable witnesses and doctors. Each case will be different, depending on the nature of the vulnerability and the practicalities of implementing any special measures required.
 - b. The needs of non-vulnerable witnesses and other participants arising from a disability or from other compelling circumstances.

- c. The volume or format of evidence to be presented. For example, where the hearing bundle will be extensive, or where physical evidence will be presented, a SJB hearing is more likely to be required.
- 5. In the absence of any other factors, we do not consider the following to be relevant considerations:
 - a. number of witnesses
 - b. the nature of the allegation or type of hearing
 - c. extent of press or public interest.
- 6. Final decisions on hearing venue will be made at the earliest fair opportunity in the case management process. Parties must come to case management discussions ready to provide comments on hearing venue. Where the position remains unclear, an MPTS Case Manager may issue parties with a final deadline to provide any final representations. Final confirmation will be provided when the MPTS Notice of Hearing is issued.
- 7. It is the responsibility of the GMC, doctors and their legal representatives to ensure that the MPTS is provided with information about the needs of individual participants, including any requests for reasonable adjustments. Information should be provided at an early stage, so that all reasonable steps can be taken to support participation without delays.
- 8. Where a hearing is part-heard, the MPTS will confirm with parties as soon as possible whether the hearing will reconvene as a virtual hearing or a SJB hearing. It will not always be possible to confirm this immediately upon a hearing adjourning part-heard.

It may on occasion be necessary for a part-heard hearing that commenced as a SJB hearing to reconvene as a virtual hearing (and vice versa). Where this is under consideration, parties will be informed and the factors highlighted at paragraph 4 above will apply.

Requesting a change of venue

- 9. In order to provide certainty for all participants, changes to hearing venue will only be considered where there is a material change in circumstances and the change can be made without injustice or undue disruption.

10. Where parties are notified of the venue allocated to a hearing but subsequently identify a material change and wish to request a change of venue, the following steps apply:
 - a. Requests to change venue **before an MPT hearing has commenced** must be submitted to the MPTS Case Management team;
 - b. Requests to change venue **during an MPT hearing** must be submitted to the MPT;
 - c. Requests to change venue for a hearing which is scheduled to reconvene but has not yet done so must be submitted to the MPTS Case Management team.

11. In all instances, requests for a change of venue must be made at the earliest opportunity and must clearly identify the material change in circumstances giving rise to the request. Requests made at a late stage may not be able to be accommodated.

12. On an exceptional basis, consideration can be given to holding hearings at another location outside Manchester. The MPTS will only consider such applications where the circumstances are truly exceptional. Further guidance about making an application is available [on our website](#).