

## Holding Medical Practitioners Tribunal hearings at an alternative venue on an exceptional basis

1. Our guidance [Deciding how to hold medical practitioners tribunal hearings](#) sets out how decisions are made and 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 as 'SJB') or as a virtual hearing.
2. On an exceptional basis, we will consider holding a hearing in person at a venue located outside Manchester (referred to as an '**alternative venue**'). The circumstances must be truly exceptional, and the onus of demonstrating this will fall on the applying party.
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. However, there is no absolute duty to hold a hearing at an alternative venue convenient to or preferred by the practitioner or other hearing participants.
4. The following factors are unlikely to be capable of establishing an exceptional basis justifying holding the hearing at an alternative venue:
  - i. Clinical or caring responsibilities, where suitable alternative arrangements ought to be capable of being made, bearing in mind the notice parties have of the hearing dates;
  - ii. The availability of preferred representatives and/or witnesses;
  - iii. The location where events relevant to the allegations took place.
5. Additional inconvenience or financial hardship will not be sufficient to warrant holding a hearing at an alternative venue, unless the applying party can demonstrate with supporting evidence that:

- i. a virtual hearing would not be fair or appropriate, bearing in mind the factors in our [Deciding how to hold medical practitioners tribunal hearings](#) guidance; and
  - ii. a hearing at SJB would impose an exceptional burden and/or prejudice for the practitioner, witnesses and/or representatives well beyond that inherent in disciplinary proceedings.
6. Where an application for an alternative venue is made on health grounds, the applying party will need to demonstrate with supporting independent evidence that:
  - i. where the health grounds relate to:
    - ▶ the practitioner, that a virtual hearing would not be fair or appropriate, bearing in mind the factors in our [Deciding how to hold medical practitioners tribunal hearings](#) guidance; or
    - ▶ another hearing participant, that it would not be fair or appropriate for them to participate remotely; and
  - ii. a hearing at SJB would not be fair or appropriate due to a significant current and continuing health condition(s) experienced by the hearing participant which would preclude them travelling to and staying in Manchester or would make it clinically very undesirable. The accompanying evidence must clearly explain the circumstances of the hearing participant, including the arrangements required when the hearing participant is otherwise away from home for any professional, social or domestic reason, and why those arrangements could not reasonably be put in place in Manchester.
7. When considering whether a virtual hearing or remote participation may be appropriate, parties are reminded that where a registrant or witness may give evidence from a location outside the UK, it is essential that the party relying upon that evidence informs the MPTS Case Management team at the earliest opportunity and reviews our [guidance on receiving witness evidence](#).

## Requesting an alternative venue

8. Each request for an alternative venue will be decided on its own merits by the MPTS. The applying party must advise at the earliest opportunity and during case management discussions if a request for an alternative hearing venue will be made. It will not be possible for a decision to be made during a case management discussion, as a written application and supporting evidence will be required.
9. The practitioner or their representative must submit a written request, including any relevant evidence, for an alternative hearing venue on an exceptional basis. The request should be addressed to the MPTS Case Management Team at [MPTSCaseManagementTeam@mpts-uk.org](mailto:MPTSCaseManagementTeam@mpts-uk.org), and a decision will be made by an MPTS Case Manager. The reasons for the decision will be explained in writing.
10. The other party to the hearing will be informed of a request for an alternative hearing venue. They will not be invited to comment on the merits of the application but can make representations regarding any affect an alternative venue may have on the presentation of their case, such as the impact on witness availability.

## Arrangements for an alternative venue

11. If it is agreed to arrange an alternative venue, the MPTS will be responsible for selecting the exact location of the alternative venue. Hearings may be held at suburban sites or in business parks, rather than at central urban locations. In deciding the alternative venue, the MPTS will take into consideration the need to make effective and efficient use of resources.
12. The alternative venue will always be within the United Kingdom. Hearings will not be held abroad, even if there are exceptional circumstances justifying an alternative venue within the UK.