

## 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. It also sets out the process to follow when requesting a change of hearing venue.
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. Requests for a hearing to be held at an alternative location other than SJB will be determined in line with our published guidance [Holding MPT hearings at an alternative venue on an exceptional basis](#). Requests for an alternative hearing location must always be raised at the earliest opportunity for determination by the MPTS Case Management team. Such requests cannot be decided by tribunals, even if they are raised during the hearing.

## Requesting a change of venue

- 9. In order to provide certainty for all participants, changing a hearing venue from a virtual hearing to SJB or vice versa (referred to in this section as a **venue change**) 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 venue change, the steps to take will depend on the stage reached. In all instances, requests for a venue change 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 or which would cause undue delay are unlikely to be accommodated.

## Before the hearing

11. Where a party wishes to request a venue change before the hearing has started (or before the hearing reconvenes if the hearing is adjourned part-heard), a written request should be submitted directly to MPTS Case Management team at [MPTSCaseManagementTeam@mpts-uk.org](mailto:MPTSCaseManagementTeam@mpts-uk.org).
12. Where a tribunal member's circumstances have changed, they should submit any request relating to the format of their attendance to the MPTS Empanelment team. If the MPTS considers it is necessary to make arrangements to accommodate the tribunal member's request, the MPTS Case Management team will liaise with parties as soon as possible regarding the proposed arrangements.

## During the hearing

13. Where a party applies for a venue change during the hearing, or where the tribunal raises the issue of their own volition, the tribunal will obtain the views of the parties present at the hearing.
14. Where **all participants are agreed on the proposed venue change** and:
  - a. No extra hearing time is required, the tribunal can agree to the venue change;
  - b. Extra hearing time is required, a request for additional days will first need to be made to the MPTS Case Management Team before the venue change can be agreed by the tribunal.
15. Where **participants are not agreed on the venue change**, a hybrid hearing should be considered by the tribunal. Where the tribunal consider it fair in all the circumstances to permit a hybrid hearing and:
  - a. No extra hearing time is required, the tribunal can agree to the venue change;

