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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 178**

**The Care Tribunal Regulations (Northern Ireland) 2005**

**PART IV**

**CASE MANAGEMENT**

**Child and vulnerable adult witnesses**

- 18.**—(1) A child shall only give evidence in person where –
- (a) the Chairman has given the parties an opportunity to make written representations before the hearing or representations at the hearing; and
  - (b) having regard to all the available evidence, and the representations of the parties, the Chairman considers that the welfare of the child will not be prejudiced by so doing.
- (2) If he directs that a child shall give evidence in person, the Chairman shall –
- (a) secure that any arrangements he considers appropriate (such as the use of a video link) are made to safeguard the welfare of the child; and
  - (b) appoint for the purpose of the hearing a person with appropriate skills or experience in facilitating the giving of evidence by children.
- (3) Where the Chairman believes that it might not be in the best interests of a vulnerable adult for the vulnerable adult to give oral evidence to the Care Tribunal, the Chairman shall –
- (a) give the parties the opportunity to make written representations before the hearing or representations at the hearing; and
  - (b) having regard to all the available evidence, including any written representations made by the parties consider whether it would prejudice the vulnerable adult's welfare to give oral evidence to the Care Tribunal –
    - (i) in any circumstances; or
    - (ii) otherwise than in accordance with paragraph (5).
- (4) If the Chairman considers that –
- (a) it would prejudice the vulnerable adult's welfare to give oral evidence to the Care Tribunal in any circumstances, he shall direct that the vulnerable adult shall not do so; or
  - (b) it would prejudice the vulnerable adult's welfare to give oral evidence to the Care Tribunal otherwise than in accordance with paragraph (5) he shall direct that paragraph (5) shall apply in relation to the vulnerable adult.
- (5) If he directs that this paragraph shall apply in relation to the vulnerable adult, the Chairman shall –
- (a) secure that any arrangements he considers appropriate (such as the use of a video link) are made to safeguard the welfare of the vulnerable adult; and
  - (b) appoint for the purpose of the hearing a person with appropriate skills or experience in facilitating the giving of evidence by vulnerable adults.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(6) The Chairman shall pay such fees as he may determine to any person appointed under this regulation.