
STATUTORY INSTRUMENTS

2011 No. 2346

The Solicitors Disciplinary Tribunal
(Appeals and Amendment) Rules 2011

PART 3

Appeal procedure

Disclosure, evidence and submissions

19.—(1) Without restriction on the general powers in rule 9 and 18, the Tribunal may give directions in relation to an appeal as to—

- (a) the exchange between parties of lists of documents which are relevant to the appeal, or relevant to particular issues, and the inspection of such documents;
- (b) the provision by parties of statements of agreed matters;
- (c) issues on which it requires evidence or submissions;
- (d) the nature of the evidence or submissions it requires;
- (e) whether the parties are permitted or required to provide expert evidence, and if so whether the parties must jointly appoint a single expert to provide such evidence;
- (f) any limit on the number of witnesses whose evidence a party may put forward, whether in relation to a particular issue or generally;
- (g) the manner in which any evidence or submissions are to be provided, which may include a direction for them to be given—
 - (i) orally at a hearing; or
 - (ii) by written submissions or witness statement; and
- (h) the time at which any evidence or submissions are to be sent or delivered.

(2) The Tribunal may—

- (a) admit evidence whether or not—
 - (i) the evidence would be admissible in a civil trial in the United Kingdom; or
 - (ii) the evidence was available to a previous decision maker; or
- (b) exclude evidence that would otherwise be admissible where—
 - (i) the evidence was not provided within the time allowed by a direction given under these Rules or a practice direction;
 - (ii) the evidence was otherwise provided in a manner that did not comply with a direction given under these Rules or a practice direction; or
 - (iii) it would otherwise be unfair, disproportionate or unnecessary in the interests of justice to admit the evidence.

(3) The Tribunal may consent to a witness giving, or require any witness to give, evidence on oath, and may administer an oath for that purpose.