
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 315

**Special Educational Needs Tribunal
Regulations (Northern Ireland) 1997**

Part IV

Determination of Appeals

Hearings to be held in private: exceptions

- 26.**—(1) A hearing by the tribunal shall be held in private unless—
- (a) both the parent and the board request that the hearing be held in public; or
 - (b) the President, at any time before the hearing, or the tribunal at the hearing, orders that the hearing should be held in public.
- (2) The following persons (as well as the parties and their representatives and witnesses) shall be entitled to attend the hearing of an appeal, even though it is held in private—
- (a) subject to the provisions of paragraph (8), any person named by the parent in response to the enquiry under regulation 17(b) unless the President has determined that any such person should not be entitled to attend the hearing and has notified the parent accordingly;
 - (b) a parent of the child who is not a party to the appeal;
 - (c) the clerk to the tribunal and the Secretary of the Tribunal;
 - (d) the President and any member of the chairmen’s panel or lay panel (when not sitting as members of the tribunal);
 - (e) any person undergoing training as a member of the chairmen’s panel or lay panel or as a clerk to the tribunal;
 - (f) any person acting on behalf of the President in the training or supervision of clerks to tribunals;
 - (g) an interpreter.
- (3) The tribunal, with the consent of the parties or their representatives actually present, may permit any other person to attend the hearing of an appeal which is held in private.
- (4) Without prejudice to any other powers it may have, the tribunal may exclude from the hearing, or part of it, any person whose conduct has disrupted or is likely, in the opinion of the tribunal, to disrupt the hearing.
- (5) For the purposes of arriving at its decision a tribunal shall, and for the purposes of discussing any question of procedure may, notwithstanding anything contained in these Regulations, order all persons to withdraw from the sitting of the tribunal other than the members of the tribunal or any of the persons mentioned in paragraph (2)(c) to (e).
- (6) Except as provided in paragraph (7) none of the persons mentioned in paragraph (2)(a) to (g) or (3) shall, saving in the case of the clerk to the tribunal or an interpreter as their respective duties

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require, take any part in the hearing or (where entitled or permitted to remain) in the deliberations of the tribunal.

(7) The tribunal may permit a parent of the child who is not a party to the appeal to address the tribunal on the subject matter of the appeal.

(8) Where the parent has named more than two persons in response to the enquiry under regulation 17(b) only two persons shall be entitled to attend the hearing unless the President has given permission before the hearing or the tribunal gives permission at the hearing for a greater number to attend.