

APPENDIX

SCHEDULE—

Form of notice of an inquiry

PART III

PROCEDURE OF PROFESSIONAL CONDUCT COMMITTEE

Conduct of hearing

7. When the charge, or charges, have been read, subject to rule 8:—

(1) in respect of any charge, or charges, to which no objection has been upheld:

- (a) the Solicitor, or the complainant, if any, may address the Committee and shall adduce evidence of the facts on which the charge or charges are based;
- (b) the practitioner may then address the Committee and adduce evidence in respect of any facts which he does not admit;
- (c) at the close of the evidence for the practitioner, the Solicitor, or the complainant, if any, may, with the leave of the Committee, adduce evidence to rebut any evidence adduced by the practitioner;
- (d) the Solicitor, or the complainant, if any, may then address the Committee;
- (e) the practitioner may then address the Committee.

(2) On the conclusion of the proceedings under paragraph (1) the Committee shall consider the facts alleged in the charge or charges, other than any facts which have been admitted by the practitioner, and shall find whether the facts or any of the facts have been proved.

(3) Where the facts admitted by the practitioner or found proved by the Committee comprise those on which any charge or part of any charge is based the Chairman shall announce that the charge or part of the charge has been proved: Provided that this paragraph shall not apply to any charge alleging that the practitioner has been guilty of serious professional misconduct.

(4) If in any case relating to conviction or conduct any charge alleges that the practitioner has been guilty of serious professional misconduct and the Committee find that the facts or some of the facts in the charge or part thereof have not been proved, the Committee shall record a finding that the practitioner is not guilty of serious professional misconduct in respect of the facts which have not been proved and the Chairman shall announce that finding.