



## Complaints Panel Adjudication Hearing Ground Rules

1. The Parties are the Complainant and the Member.
2. A Witness is a witness brought by either of the Parties to give evidence at the Hearing.
3. Participants are all of the Parties and Witnesses.
4. Supporters are people supporting the Parties but who have no right of audience and who have had no connection to the matters at issue.
5. The aim is to hold a fair and impartial hearing process in an efficient manner.
6. Set up of the Room – Complainant and Respondent (and Supporters if elected) on same side of table, with Complaints Adjudication Panel (“the Panel”) opposite.
7. A digital Recording device will be present during the hearing to facilitate the Panel’s later deliberations. Copies will be made available to the Parties in the event of an appeal process.
8. All Participants and Supporters will be asked to identify themselves and their role at the hearing.
9. All Participants and Supporters will be advised that the Chair of the Panel will oversee proceedings and will be responsible for the process of the hearing.
10. The Panel sit as independent adjudicators.
11. The Parties will be asked to address their questions and comments through the Chair.
12. All Parties will be asked to confirm that they are familiar with the MII Complaints Procedures and Guidelines in relation to the Complaints Adjudication Procedure
13. The Chair will ask the Complainant to confirm the basis of his/her complaint and to confirm the details of the document which sets out the complaint.
14. The Chair will also establish what documents are before the Panel and the Parties and ensure that there are no more relevant documents and that the Parties have copies of all of the documents and have had time to consider them.
15. The Parties will be asked to confirm they understand the format for the day and agree the Hearing Groundrules.

16. All Parties will be advised to take their time in preparing questions and all Participants are advised to take their time in responding and given assurance that no one would be rushed.
17. The Chair will formally ask if all Parties are ready to commence the complaint hearing.
18. The Chair will open the hearing and ask the Complainant if they wish to be heard and to present their case.
19. The Chair will allow relevant questions to be posed by the Member and by the Panel as appropriate.
20. The Chair will then ask the Member if they wish to be heard and present their case.
21. The Chair will allow relevant questions to be posed by the Complainant and by the Panel as appropriate.
22. The Chair will confirm the Parties and the Panel have no further questions.
23. The Panel will take evidence from any witnesses and either Party and the Panel may raise questions of the witnesses.
24. The Chair will seek final comments (closing statements) from both sides, starting with Complainant.
25. Any additional information will be circulated to the Parties at the hearing.
26. The Chair will conclude proceedings and close the hearing.

**Note:** Recess & Comfort breaks will be a feature of proceedings.

*The MII, 16<sup>th</sup> March, 2011*



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