

Practice Direction
Recording of Tribunal Proceedings

Introduction

1. This Practice Direction is made pursuant to the power conferred by section 25(2) of the CervicalCheck Tribunal Act 2019 and shall come into effect on this, the 1st day of December 2020, and shall remain in effect unless and until otherwise directed.
2. This Practice Direction deals with the recording of proceedings before the Tribunal and with the question of access to the records of proceedings or parts thereof by relevant parties.
3. In this Practice Direction: -

‘record’ means any contemporaneous recording of the proceedings concerned made by any one or more means, including, but not limited to: -

- (i) any shorthand or other note, whether written, typed or printed; and
- (ii) any sound recording or other recording, capable of being reproduced in legible, audible or visual form, approved by the Tribunal.

‘Transcript writer’ means any person (including a body corporate acting by its employee or contractor) appointed by the Tribunal to make a transcript of the record.

Digital Audio Recordings of proceedings

4. The Tribunal shall make or cause to be made, by way of digital audio recording, a record of all Tribunal proceedings, including, all directions, case management, motions and determination hearings.

Transcripts of determination hearings

5. The Tribunal shall cause to be made, by a transcript writer, a written record of all Determination hearings.

6. A party to Tribunal proceedings may make an application to the Tribunal to be provided with a copy of the transcript of a relevant Determination hearing.

Transcripts of directions, case management and motion hearings

7.
 - (a) Any party who seeks access to any part of a record of proceedings, other than a record of a determination hearing, which is held by or for the Tribunal may apply to the Tribunal, by motion on notice to the other party or parties to the proceedings, grounded upon an affidavit.
 - (b) Subject to subsection (c) below, the Tribunal may, where it considers it necessary in the interests of justice so to do, permit an applicant to have such access to all or such part of the record concerned as is specified in the order made on the application, by such means and at such time or times as may be specified in that order and on such terms and under such conditions (including terms restraining the publication, dissemination or further disclosure of all or any part of the relevant record by the applicant, and the giving of an undertaking to such effect) as the Tribunal may direct.
 - (c) Unless the Tribunal otherwise directs, access to the record concerned shall be afforded solely by the provision to the applicant of a transcript of all or any part of that record, on payment by the applicant to the transcript writer of the transcript writer's fee for producing the transcript.

Dated this the 1st day of December 2020.



Ann Power
Chairperson of the Tribunal