Fitness to Practise Process Flow-chart

Information received to Professional Conduct Department that a barrister is unfit to practise. Investigation takes place where appropriate **(Rule 5)**

Referral made by Disciplinary Tribunal Panel where evidence comes to light that a barrister is unfit to practise **(Rule 8)**

Chair of PCC notifies barrister of investigation **(Rule 7)**

Professional Conduct Committee review case **(Rules 6)**

PCD carry out further investigation **(Rule 6)**

Close file

Refer case to Fitness to Practise Panel **(Rule 8)**

President of COIC convenes Fitness to Practise Panel consisting of 5 Members (3 barristers (2 QCs), a medical expert, and lay rep) **(Schedule 1, Para 3)**

Barrister makes representation **(Rule 9)**

Chair of Panel sends notice to barrister **(Rule 11)**

Preliminary Fitness to Practise Panel hearing

Adjourn **(Rules 44 & 45)**

Decision outcome/ Directions **(Rules 12-19)**

No further action

Chair of Panel to serve notice of decision **(Rule 19)**

Accept voluntary undertaking from barrister **(Rule 17)**

Barrister to consent to disclosure of medical records **(Rule 12(c))**

Impose interim restriction on practise **(Rule 15-19)**

Submit to nominated Medical Examiner (ME) for examination and report **(Rule 12(a) & (b)-14)**

Instruct BSB to carry out investigations or seek advice or assistance **(Rule 12d)**

Barrister makes representation **(Rule 9)**

Chair of Panel to serve notice of hearing **(Rule 19)**

ME to produce report (and attend Full Medical Hearing if necessary) **(Rule 13(b) & (c))**

Barrister requests review

Full Hearing before Fitness to Practise Panel

Adjourn **(Rules 44 & 45)**

No further action

Decision Outcomes **(Rules 20 - 24)**

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Chair of Panel to
serve notice of decision
(Rule 25)

Interim suspension (up to 6 months) **(Rule 22(a))**	Indefinite Suspension **(Rule 22(b))**	Direct to seek treatment **(Rule 22(b)(iii)**	Impose restrictions and conditions on practise **(Rule 2a&b)**	Accept voluntary undertakings **(Rule 23)**

Barrister requests review

Barrister/ Chair of PCC/ BSB requests
review of decision during period of restriction
(Rule 26)

Review before
Fitness to Practise
Panel

Decision
Outcome

Confirm or revoke the direction made or undertakings agreed **(Rule 28(a))**	Extend or vary the period for which the direction has effect **(Rule 28(b))**	Replace the direction or undertakings **(Rule 28(c))**

Barrister appeals decision of
Fitness to Practise Panel to
impose, extend, vary or replace
a period of restriction

Appeal before Review
Panel **(Rule 30)**

Decision
Outcome

Chair of Panel to
serve notice of decision
(**Rule 35**)

Allow the appeal **(Rule 33(a))**	Confirm the decision that is subject to appeal Replace the direction or undertakings **(Rule 33(b))**	Exercise any of the powers of a Fitness to Practise Panel under Rules 21 or 22 **(Rule 33(c))**