

Schedule A: Guidelines for Discipline Committee Procedure

- 1 The Chairperson of the Discipline Committee shall:
 - 1.1 open the hearing and introduce the Committee members, Secretary, and any counsel or representative/s present;
 - 1.2 state the purpose of the hearing;
 - 1.3 state the procedure of the hearing;
- 2 If there are any witnesses present, the Chairperson shall:
 - 2.1 hear from the student and the complainant as to whether there are issues of credibility, or any concerns about the witnesses remaining in the hearing;
 - 2.2 decide whether the witnesses can remain;
 - 2.3 if they cannot, then request they wait outside until called upon and advise them not to discuss their evidence.
- 3 The Chairperson shall move a motion that members of the public be excluded from the whole of the proceedings of the hearing to protect the privacy of the persons concerned and on the grounds contained in Section 9 of the Official Information Act 1982.
- 4 The Chairperson shall confirm that the student understands the complaint/s and the allegations against him or her and that he/she has a copy of all material. If not, the Chairperson shall take the student through the complaint as set out in the notice.
- 5 The Chairperson shall ask the student to state whether or not he/she denies or admits the complaint.
- 6 Throughout the hearing, either party may involve a representative. For the purposes of these guidelines where reference is made to the student or complainant (other than the giving of evidence) it shall also be deemed to be referring to their representative.
- 7 If the complaint is admitted and the student accepts the allegations as set out in the complaint then the Chairperson shall:
 - 7.1 ask the student if he/she or witnesses have any further comments or information they wish the Committee to consider.
 - 7.2 ask the Complainant if they have any comments they wish to make.
 - 7.3 call for any questions from the other Committee members.
 - 7.4 allow the student the opportunity to re-examine or clarify points that have arisen.
 - 7.5 ask for an indication from all the parties as to what they consider an appropriate penalty to be.
- 8 If the student admits but challenges the circumstances of the offence, the disputed circumstances will be heard in the manner set out below as if the complaint was denied.
- 9 If the complaint is denied or admitted but the circumstances challenged then the hearing will proceed as follows:
 - 9.1 Chairperson will advise whether or not a record will be kept of the proceedings.

- 9.2 The Chairperson will inquire as to whether the parties will be calling witnesses. If so, the Chairperson will explain that as each witness appears they will:
- (a) make a statement;
 - (b) answer any questions put to them by the Committee members;
 - (c) at the discretion of the Chairperson, answer any questions put to them by the other party;
 - (d) the Chairperson may intervene in any question/s where necessary at any time.
- 9.3 The student and the Complainant shall have the opportunity to make any introductory remarks/statements and closing statements/submissions.
- 9.4 The order of the proceeding will be as follows:
- (a) The Complainant shall set out their case, which shall include calling any witness, referring to any documentation (copies of which should already have been provided), explaining why the conduct complained of amounts to a breach of statute, and setting out the implications of such conduct on the good discipline of the University (e.g. disrupting others, danger to students and faculty, etc.).
 - (b) The student shall then set out their case, which shall include but not be limited to, calling evidence, referring to documentation (copies of which should already have been provided), disputing whether the conduct took place or the identity of the perpetrators, outlining why the conduct does not amount to a breach and/or setting out any mitigating circumstances.
- 9.5 The Complainant shall then make closing remarks including, where appropriate, views on the penalty.
- 9.6 The Student shall then make closing remarks including, where appropriate, views on the penalty.
- 10 The Committee shall fully and fairly consider all information put to it in reaching its decision without bias or predetermination.
- 11 Require all people (other than the Committee members and the Secretary) to leave and wait outside while the Committee considers its decision.
- 12 If it is likely to take longer than half an hour to reach its decision, then the Chairperson shall advise the parties that they will be advised of the decision in writing by the Secretary within two working days.
- 13 If the decision can be reached in less than half an hour, the parties (excluding witnesses) will be called back into the hearing room once a decision is made and advised:
- 13.1 of the decision and the reasons for it;
 - 13.2 that they will receive written confirmation of such decision and reasons in writing from the Secretary within seven working days;
 - 13.3 of the right to appeal.