
Pharmaceutical Society of Ireland (PSI)

Frequently Asked Questions on Remote Hearings

Introduction

The PSI is the statutory body which is responsible for holding Fitness to Practise Inquiries in relation to complaints against pharmacists and pharmacies under the Pharmacy Act 2007.

Due to the ongoing COVID-19 pandemic, the PSI has had to adapt the way in which it holds the hearing of Inquiries and in order to comply with Government Health guidelines, the PSI is now holding hearings remotely, in accordance with the provisions of the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020. We recognise the importance of progressing cases to a conclusion as quickly as possible so we can meet our duty to protect the public and avoid unnecessary delays for all those involved in our proceedings. Proceeding by way of remote hearings allows us to do this. We are also committed to providing assistance for those who will be attending at such hearings, whether as an active participant or authorised observer.

This document provides information on how remote hearings will work in relation to **PSI Fitness to Practice Hearings** and should be read in conjunction with existing guidance on our website regarding the statutory complaints handling and disciplinary proceedings process.

What is a remote hearing?

A remote hearing is similar to a hearing before a court, tribunal or in the case of the PSI, a statutory committee hearing a complaint against a pharmacist or pharmacy owner. Normally those hearings take place in person, but remote hearings may take place virtually over the internet (“online”) using specialised software. This software allows the participants to see, and hear each other, present evidence, be questioned, and view documents. It replicates a physical court hearing and environment, except that the participants will be at different locations and will access the hearing using a device such as a computer and/or laptop and/or iPad.

How will the hearing take place?

We will use an online software platform from a third-party provider which replicates a physical courtroom environment.

Who can attend a remote hearing?

Attendance will depend on your interest or role in the hearing and pre-registration with the PSI is required. Please email remotehearings@psi.ie if you have any questions in this respect.

If you are a party involved in the hearing of the complaint, the attendees will be the same as if it were a physical hearing so, therefore, all persons entitled to/required to attend the physical hearing will be the same, depending on whether the Inquiry proceeds in public or in private. This will include the disciplinary committee members, solicitors, barristers, complainants, respondents, witnesses, PSI staff and members of the public/media.

Members of the public, including the media, may attend public hearings, on prior notification to the PSI. Media notifications are published on the PSI website one week in advance of the hearing.

Hearings held in private are restricted to authorised persons only.

What is the difference between public and private hearings?

Hearings of Fitness to Practice Inquiries generally take place in public, meaning that members of the public/observers and the media can also attend. From time to time, depending on the circumstances of the case, an application might be made to hear the Inquiry in private. This means that members of the public/observers and the media may not attend.

An application to hear the inquiry in private will usually have been done in advance of the date on which the Inquiry is due to be held, but from time to time, an application may be made on the day of the inquiry. If that is the case members of the public and media will only be admitted to the remote hearing once the Committee has heard and determined any applications to hear the matter in private, and provided the Committee has confirmed that the hearing will in fact, continue in public.

If the Committee decides that the hearing should take place in private, or if at any stage during the hearing, a decision is made to proceed in private, access permissions for members of the public, observers and media will be immediately withdrawn and it will not be possible to access the online platform.

Notification of a hearing will be made on the PSI website one week in advance of the commencement of a hearing before a Committee of Inquiry, in the usual way and will state whether it is a public or private hearing. No names or details of the parties will be published in this notification. Interested parties can contact the PSI where the hearing is a public one and will be given details on how to access it. Pre-registration is required in order to access the hearing (see above).

Observers will be required to give an undertaking in advance of the hearing that they will not record, share nor disseminate any part of the hearing.

Attendees will be expected to respect and adhere to any directions given by the Committee in relation to security and privacy as a condition of attendance.

How do I attend the hearing?

If you are attending a remote hearing, and duly authorised to so, then following registration, full instructions will be given to you in advance by either the PSI, or your legal representatives, depending on your particular circumstances.

What equipment do I need to access the hearing?

You will need a device with a camera and a microphone and internet/WIFI connection. If you are presenting, or will be speaking, you may wish to use two devices at the hearing, one to connect to the main screen to view parties, and the other to view documents. You will also need an internet browser such as Chrome 8 on your laptop or tablet and if you are using an iPad you will need Safari.

How do I get set up for the online software platform?

Once approved to attend the hearing, the PSI will provide your details to the provider of the online platform in order to register you. You will be supplied with a User Guide, which will show you how to register with the online platform and how to set up your username and password.

Once this is done, you will be asked to send an email to confirm your registration. The providers of the online platform will then contact you to arrange a suitable time to check your technical requirements before the hearing.

We understand different participants will have different user needs depending on their roles and therefore the providers of the online platform will engage with you accordingly. We will also provide you with contact details for someone you can call on the day of the hearing for assistance in the event that you have any technical difficulties.

What if I don't have good internet where I live?

If you are a **witness** or a **participant respondent pharmacist** or **committee member** and you have poor internet connectivity issues in your home, and do not have access to a secure space in an office, we will take all reasonable steps to accommodate you in another space, such as renting a hotel conference space for the day of the hearing.

Are documents stored on the online software platform secure?

The software, which enables the online platform, is hosted in the cloud and it is encrypted. Any documents uploaded to the online platform are held securely on an encrypted server. Access to the documents will be restricted to those who are permitted to view them ordinarily at a physical hearing, such as the Committee, the Legal Assessor to the Committee, legal teams and witnesses (as appropriate and where relevant). Once the hearing is complete all documentation will be removed from the servers.

The operation of the online platform is subject to strict contractual obligations in any event between the PSI and the provider regarding IT security and data protection.

How do the parties see and hear each other at a remote hearing?

There will be a main "Public" (virtual) meeting room in which the hearing takes place. Anyone authorised to attend the hearing can do so via the Public meeting room. Here, you can see the Committee of Inquiry, the Legal Assessor to the Committee of Inquiry, legal representatives and witnesses.

Separately, the online platform also facilitates "Private" (also virtual) break-out meeting rooms to allow pre-defined groups to have private discussions during the hearing, if necessary. For example, a solicitor can have a virtual break-out room with a client, or a witness, and each can access this room to communicate privately with that person. These meeting rooms will be agreed and set up in advance



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and links provided to the relevant parties.

What is the etiquette at hearings?

Participants will be asked to conduct themselves as they would in a physical hearing.

- It is best to sit alone in a well-lit and quiet room and ensure there are no disruptions or interruptions.
- Do not allow anyone unconnected with the hearing to come into your room or be visible on screen.
- A secure stable internet connection is necessary, and you should ensure any device you use is fully charged.
- Log into the meeting at least 15 minutes before it is due to start to avoid any last-minute issues. If you become aware of any issues, notify your point of contact immediately.
- Keep your microphone on mute unless you are told otherwise.
- Turn on your camera unless you are told otherwise.
- Do not record any part of the hearing. You may be required to provide an undertaking as to confidentiality and to confirm an agreement not to share or publish any information arising during the hearing.

How is privacy protected at a remote hearing?

Contractual obligations are in place between the PSI and the providers of the online platform regarding privacy, data protection and security standards. Only those users who have been authorised by the PSI to access the hearing can do so and therefore access to the platform will be restricted to those who have been granted permission. Permissions will be controlled by PSI staff. Connection details should not be forwarded to any party and shall only be provided directly by the providers of the online platform to the participant. Non-legal participants will be asked to confirm in writing that they will not record, replicate, share or publish the content of the hearing and will not disclose the access details provided and a record will be kept of this. The Committee may also give formal directions around security and privacy at the commencement of the hearing and attendees will be expected to respect and adhere to any such directions as a condition of attendance.

What about Data Protection?

The PSI processes any personal data strictly in accordance with the provisions of our Data Protection Statement, which is available on our [website](#). There are also separate contractual arrangements in place with the providers of the online platform regarding data protection.

For the purposes of the remote hearings, the providers of the online platform are our data processor. Certain data will be shared with them for facilitating the remote hearings, and this is subject to contractual obligations regarding data protection and security. A copy of their Privacy Policy can be provided on request.

Who should I contact if I have any more questions?

Please email remotehearings@psi.ie should any you have any further general questions.