

70A. Procedure at Hearing before Professional Standards Board involving indictable offence

(1) This section applies if:

(a) at any time during the course of a hearing, the Board is of the opinion that, having regard to all the evidence given up to that time:

(i) the evidence is capable of satisfying a jury beyond reasonable doubt that a known person has committed an indictable offence, and

(ii) there is a reasonable prospect that a jury would convict the known person of the indictable offence, and,

(iii) the misconduct alleged is such that the question whether the known person committed an indictable offence is in issue, then,

(iv) the Board must suspend the hearing and forward copies of all evidence obtained for the purpose of the hearing, to the Local Commander of Police, with a report confidentially identifying the known person and the details of the alleged indictable offence.

(2) Should the known person be convicted for an indictable offence, the Board may accept a Certificate of such Conviction which shall be conclusive evidence for the Board's purposes and upon which it may make a determination and recommendation to the Church Authority.

(3) Should the known person be not convicted for an indictable offence, the Board may resume the hearing of the alleged misconduct, subject to giving appropriate notices to all interested parties of the time and place for resumption.

(4) Upon resumption of such a hearing, the Board must have

regard for any Certificate of Acquittal and such other evidence and submissions as may be appropriate before making its determination.