

1 HEARING AID COUNCIL PROCEEDINGS

2
3 **Meeting of the**
4
5 **DISCIPLINARY COMMITTEE**

6
7 Held at:
8 70 St Mary Axe
9 London
10 EC3A 8BE

11
12 On

13
14 Tuesday, 5th October 2009
15 -----

16
17 PRESENT:

18
19 **(THE CHAIR)**
20 CHRIS HUGHES

21
22 **Panel Members:**
23 PETER ORMEROD
24 MICHAEL BISHOP
25 TONY CORCORAN (BY TELEPHONE)

26
27 **Legal Assessor:**
28 MR DAVID MARSHALL

29
30 -----
31
32 **In the matter of:**
33 MR IAIN DE WIT

34
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Monday, 5th October 2009.

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3 MR WHALLEY: I renew the application that was made on 8th September and that is an
4 application for costs of the investigation and Hearing. Those powers are
5 governed by Section 103(a) of the Hearing Aid Council Act 1968, and that section,
6 the Committee has the power to award costs. The application is for full costs
7 which schedule has been prepared, which identifies Iodem's legal costs, Kingsley
8 Napley's legal costs and the total amount applied for is £12,111.75.

9
10 *(Committee withdrew to consider the application for costs)*

11
12 CHAIRMAN: The Disciplinary Committee has now considered the application for costs in
13 the matter of *Hearing Aid Council v Mr Iain De Wit*. Costs in the sum of
14 £12,111.75 are sought from Mr De Wit. Mr De Wit has raised the issue of the
15 costs of an abortive hearing in March and these are not included in the application
16 for costs. On considering the matter the Disciplinary Committee is satisfied that
17 these costs are properly incurred and given the gravity and complexity of the
18 charges and the length of the hearing are proportionate to the issues raised. Mr
19 de Wit has provided very scant details as to his income and expenditure and has
20 not, despite the repeated instruction from the committee, provided any information
21 as to his capital resources. It is for the respondent to provide details of means on
22 an occasion such as this and Mr de Wit's evidence is fragmentary and

