

## Overview

In general, opinion evidence is not admissible in the criminal courts. Witnesses may only give evidence about matters within their direct knowledge.

The evidence of an expert witness is one notable exception to this rule.

It is important to remember that a witness is not an expert witness until the court accepts him/her as such. For this to happen, evidence must be led of qualifications and expertise, whether these are formal or by experience.

Dickson on Evidence, Third Edition, at paragraph 398 states that:

"A foundation for such an examination must always be laid by ascertaining whether the witness is a person of skill or an expert, under which is included those who have a theoretical acquaintance with the subject, as well as men who speak from practical knowledge. A peculiar fitness, however, for the office in one of those respects is essential."

It is not necessary to have professional or academic qualifications to be an expert witness (for example drugs officers who give statements of opinion). It is perfectly possible to be an expert witness because of experience in a particular field. Qualifications, where they are held, do not automatically make someone an expert.

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### 8.1 Establishing expertise

It is essential for the Crown's witness to be allowed to give evidence as an expert that we are in a position to satisfy the court (then a jury) that he is an expert. This should be done before the case is submitted to Crown office. To some extent the Crown will be considering expertise when making the initial choice of an expert for the Crown. This will be a matter for discussion between the SLM and the Advocate Depute when signing off the Investigative Agreement.

Thereafter, in consultation with expert witnesses, the matter of their accreditation must be covered carefully and fully. This process of eliciting from the witness his qualifications and experience is vital to confirm the status and experience of the chosen expert - or otherwise.

The AD must know what questions he can ask in court to elicit the answers that will set the witness's status before the jury. Conversely, it may be that consultation causes the case investigator to question whether the chosen "expert" is such and is in fact suitable for the task in hand, or whether another more experienced or more appropriately qualified individual should be sought.

Expert Evidence status is achieved when the witness can demonstrate that they have a highly developed understanding and knowledge of a subject. This understanding and knowledge must be more than that of the average worker/practitioner in the area concerned and must be demonstrably based on extensive academic study of authorities and/or wide practical experience of the subject. When this is done and the evidence achieves the status of "expert" it can carry a weight over and above that of ordinary evidence. The expert is there to give Opinions, and this clearly puts them in a very different position from the ordinary witness.

In consultation with the expert, the CIO will be looking to establish a foundation for the prosecutor in court to show that the chosen expert *is* an expert and can be relied on by a Jury (and indeed perhaps preferred in his opinions over a defence expert).

The expert should be asked for detail of his or her **training and qualifications**. These should be discussed in detail.

The CIO must establish the witness's **experience** in the chosen field. This is a very important element of the expert's credentials and not all experts have a lot of practical experience. Is the expert then a "book" expert or a practitioner also?

Does the expert have an area of speciality within his chosen field? Is there a speciality within the chosen field that this expert does not in fact herself have (and is she then the right expert?).

It is also important to ask what ongoing **reading or refresher training** that witness undertakes in order to ensure that his skillset and knowledge remain current and are regularly updated.

Also, is the witness a **known expert**? Have they written books or papers that are referred to or used by colleagues in the field or for teaching purposes? Do they themselves teach or train others? Is that within Scotland, the UK or even worldwide?

Has the expert been asked to provide opinions for court purposes before? How often and for Crown or Defence? Providing opinions for both may support impartiality. Has the witness **given evidence before**? How often and in which courts? Again on behalf of Crown or Defence?

It is essential that the AD who is to lead the witness has enough information for them to be satisfied that he can establish that his expert is truly so.

The nature of what makes a witness an expert and what can be considered a subject for expert evidence has recently been considered by the appeal court in the case of **Young**

[\(Thomas Ross\) v HMA](#) 2013 HCJAC 145, 2014 SCCR 78 where reference is also made by the court to the Hainey case

In discussion of the issues which related to evidence about similar fact cases and whether an expert could comment on his views as to whether a series of murders were linked so that they are likely to have been carried out by the same person, the court stated:

"Evidence about relevant matters which are not within the knowledge of everyday life reasonably to be imputed to a jury or other finder of fact may be admissible if it is likely to assist the jury or finder of fact in the proper determination of the issue before it. The expert evidence must be relevant to that issue (and so not concerned solely with collateral issues), and it must be based on a recognised and developed academic discipline. It must proceed on theories which have been tested (both by academic review and in practice) and found to have a practical and measurable consequence in real life. It must follow a developed methodology which is explicable and open to possible challenge, and it must produce a result which is capable of being assessed and given more or less weight in light of all the evidence before the finder of fact. If the evidence does not meet these criteria, it will not assist the finder of fact in the proper determination of the issue; rather, it will risk confusing or distracting the finder of fact, or, worse still, cause the finder of fact to determine the crucial issue on the basis of unreliable or erroneous evidence. For this reason, the court will not admit evidence from a "man of skill" or an "expert" unless satisfied that the evidence is sufficiently reliable that it will assist the finder of fact in the proper determination of the issue before it. We agree with, and adopt, the general observations of the court with regard to evidence from a person claiming specialist knowledge and expertise which were made by the court in [Hainey \(Kimberley Mary\) v HMA](#) 2013 HCJAC 47 [Hainey \(Kimberley Mary\) v HMA](#) 2013 SCCR 309, particularly at paragraph[49].

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### **8.1.1 Establishing expertise**

There is no general rule that the evidence of an expert witness does not require to be corroborated. If the essential fact in dispute is a matter of technical science, that cannot be established on the uncorroborated testimony of a single expert witness. However, an expert opinion given on the basis of facts which are established by corroborated evidence does not itself require corroboration.

There are exceptions to the general rule requiring corroboration, such as evidence given in Fatal Accident Inquiry proceedings, and Sections 280 and 281 of the Criminal Procedure (Scotland) Act 1995. Section 280 allows the evidence of an expert to be replaced by a certificate, and section 281 allows the Crown to call only one signatory of an autopsy or forensic science report to speak to the contents of the report in Court. Section 280 is of

course rarely used in solemn proceedings as generally the AD or depute will wish to lead the evidence before a Jury, given its import in the case.

## 8.2 The Character of Expert Evidence

The High Court of Justiciary considered the proper character of expert evidence in the referral by the Scottish Criminal Cases Review Commission in the case of [Wilson \(Brian\) and Murray \(Ian\) v HMA](#) 2009 SCCR 666 (paragraphs 58-63). The Court held that it is not possible to provide an absolute direction as to what constitutes legitimate subject matter for expert opinion.

However, two general principles give some guidance. Firstly, the subject matter under discussion must be necessary for the proper resolution of the dispute, and be such that a judge or jury without instruction or advice in the particular area of knowledge or experience would be unable to reach a sound conclusion without the help of a witness who had such specialised knowledge or experience. Secondly, the subject matter in question must be part of a recognised body of science or experience which is suitably acknowledged as being useful and reliable, and properly capable of reaching and justifying the opinions offered, and the witness must demonstrate a sufficiently authoritative understanding of the theory and practice of the subject.

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## 8.3 Duties of the Expert Witness

The role of the expert witness, and his/her duties and responsibilities, has been subject to much judicial comment. The leading case is that of [R. v Harris \(Lorraine\)](#) 2006 1 Cr App R 5 and [R. v Bowman \(Thomas\)](#) 2006 EWCA 417. The court, at paragraph 116, approved the list of obligations listed by Cresswell J in the case of [National Justice Compania Naviera SA v Prudential Assurance Co Ltd \(The Ikarian Reefer\) \(No.1\)](#) 1993 FSR 563, 1993 2 Lloyds Rep 68. Expert evidence presented to the court should be and should be seen to be the independent product of the expert uninfluenced as to form or content by the party instructing the opinion

- An expert witness should provide independent assistance to the court by way of objective unbiased opinion in relation to matters within his expertise
- An expert witness should never assume the role of advocate
- An expert witness should state the facts or assumptions on which his/her opinion is based. He/she should not omit to consider material facts which detract from his concluded opinions
- An expert should make it clear when a particular question or issue falls outside his/her expertise
- If an expert's opinion is not properly researched because he/she considers that insufficient data is available then this must be stated with an indication that the opinion is no more than a provisional one.

If after considering defence expert reports an expert witness changes his view on material matters, such change of view should be communicated without delay to the party instructing the opinion and when appropriate to the court. A supplementary report may require to be produced in consultation with the party instructing the opinion.

When producing an expert report, reference to literature or any other material which may assist the court should be made within the report. The report should also contain details of the expert's academic and professional qualifications, experience and accreditation relevant to the opinions expressed in the report, and the range and extent of the expertise and any limitations.

The High Court in the SCCRC referral of the case of [Wilson \(Brian\) and Murray \(Ian\) v HMA](#) 2009 SCCR 666 added to this list and said that an expert witness should in particular explain why any material apparently relevant to his/her conclusions is ignored or regarded as unimportant, or why relevant material is accepted or rejected. Although the categories of duty and responsibility described by Cresswell J in the Ikarion Reefer case were concerned with civil matters, these rules are equally applicable to criminal cases.

In addition, particularly in criminal cases, other duties and responsibilities have been recognised by the courts. For example, the court will expect in a criminal case that an expert's report must state the facts upon which opinions are based, and if assumptions are made, these must be clearly identified. Also, reasons must be given for conclusions.

The High Court, in the SCCRC referral mentioned above, held that whether instructed for the prosecution or defence, the principal duty of an expert witness is to the court, and this overrides any duty he/she owes to the party which instructed him/her. If an English based expert is instructed, their report will in fact make reference to this responsibility in terms.

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#### **8.4 The Effect of Expert Evidence**

The judge and jury are not bound by the opinion evidence given by an expert witness, even if the expert is not challenged. Expert evidence is only one factor in the decision of the judge/jury. There are clear principles under which such evidence is admitted. In [Davie \(James Pennycook\) v Magistrates of Edinburgh](#) 1953 SC 34 the Lord President, Cooper said (at p40):-

"Expert witnesses, however skilled or eminent can give no more than evidence. They cannot usurp the functions of the jury or the Judge sitting as a jury ... Their duty is to furnish the Judge or jury with the necessary specific scientific criteria for testing the accuracy of their conclusions so as to enable the Judge or jury to form their own independent judgement by the application of these criteria to the facts proved in evidence. The scientific opinion

evidence, if intelligible, convincing and tested, becomes a factor (and often an important factor) for consideration along with the whole other evidence in the case, but the decision is for the Judge or jury. In particular the bare ipse dixit of a scientist, however, eminent, upon the issue in controversy, will normally carry little weight, for it cannot be tested by cross-examination nor independently appraised, and the parties have invoked the decision of a judicial tribunal and not an oracular pronouncement by an expert."

An expert should also confine himself to matters within his/her expertise. The Court held in [R. v Turner \(Terence Stuart\)](#) 1975 QB 834 that: "the opinion of scientific men upon proven facts may be given by men of science within their own science. An expert's opinion is admissible to furnish the court with scientific information which is likely to be outside the experience of a judge and jury. If on the proven facts a judge or jury can form their own conclusions without help, then opinion of an expert is unnecessary. The fact that an expert witness has impressive scientific qualifications does not by that fact alone make his opinion on matters of human nature and behaviour within the limits of normality any more helpful than that of the jurors themselves; but there is a danger that he may think it does".

The decision in [Hainey \(Kimberley Mary\) v HMA](#) 2013 HCJAC 47 [Hainey \(Kimberley Mary\) v HMA](#) 2013 SCCR 309 which has been touched upon already above, demonstrates the potential consequences where experts stray from their own area of expertise. The Crown led evidence from forensic anthropologists about matters which required a level of medical expertise, in particular in the specialism of paediatric histopathology. At trial, the defence challenged the experts about their qualification to speak about certain issues and the experts themselves conceded that at least some of the evidence they had given fell outwith their area of expertise. On appeal, however, it was held that the judge's failure to specifically direct the jury on that issue amounted to a material misdirection and the murder conviction was accordingly overturned.

An expert witness should not provide the court with a statement of unqualified conclusions about the question of fact on which his/her opinion relies. If an expert witness does so, the effect of his/her testimony may well be diminished. It is therefore of the utmost importance that any expert witness carefully describes the source and assesses the worth of all material on which his/her opinion is based. The expert must not disregard evidence just because it does not fit with his/her conclusion and must be able to explain why relevant material has been accepted or rejected. The role of the expert is to place an opinion before a court or jury in order to allow the court or the jury to reach a proper conclusion on the matter.

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## **8.5 Instructing an Expert**

Where appropriate, the Procurator Fiscal should instruct and obtain expert evidence. If a pre-petition investigation is taking place then it may be necessary to seek CCI before instructing an expert to confirm whether an expert is required and if so, obtain the Advocate Depute's views on choice of expert.

The process to be followed is that the Solemn Legal Manager must complete the "Experts" section, namely section 7.5 of the Investigative Agreement indicating the identity of expert(s) he or she considers to be best for the Crown to instruct and the areas upon which the expert should be invited to comment and report. Thereafter the allocated or marking AD will consider the matter and will either:

- agree the suggested expert and terms of reference
- agree the expert but alter or amend the terms of reference or suggest specific lines for consultation
- reject the named expert and instruct that another expert be used
- reject the expert and confirm that no expert should be instructed either at all or for the present time
- Instruct that two experts be approached. This may be an instruction that two experts be instructed at the same time or instruction of the second may be pended awaiting the outcome of the first instruction.

The need for more than one expert opinion must always be considered, [REDACTED]  
[REDACTED]  
[REDACTED]

An expert witness must be given all necessary and relevant information to enable him or her to provide an informed opinion on any matter. Careful consideration may have to be given as to what material the Crown should provide in instructing the expert, and a record should be kept of all material and information so supplied.

It may assist to arrange an early meeting, or case conference with the expert(s) who are to undertake the work in order to ensure that they are aware of all relevant information and that their work is focused and their instructions are clear. All relevant lines of enquiry should be followed and all relevant information made available to the expert, whether or not it is of benefit to the prosecution.

Careful consideration must always be given to the question of cost of expert work and to the requirements of [Finance Manual - Money Matters 3 - Witnesses](#) to agree rates of payment. In any case where the expert is not prepared to work within the prescribed rates in Schedule 1, or where the expense is likely to be considerable, the SLM must refer the matter to the Function Lead or Federation Business Manager for instructions, providing an indication of the importance of the potential evidence to the case. If Crown Counsel's instruction has been given either via the Investigative Agreement or by specific separate instruction, then that fact should be narrated. The request for sanction of the expense should contain a

detailed proposal for the expert work to be carried out and an estimate for the work or at least the basis for charging.

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## **8.6 Consultation with an expert witness**

### **8.6.1 Background**

The use of the consultation to establish and confirm expertise is discussed at **Paragraph 8.1**. This is a vital step and must not be overlooked or rushed through.

There is a presumption that Crown experts will be consulted with in High Court cases.

Case investigators should aim to consult with Crown expert witnesses prior to the case being reported to Crown Office for Crown Counsel's instructions and indicting. Where an allocated AD has been identified then the consultation should, ideally, be conducted with that Allocated AD and the case investigator both present.

Where a consultation, or further consultation, requires to be conducted after the case has been indicted, then the consultation should, ideally, be conducted with the Allocated or Trial AD and the case investigator both present.

An Advocate Depute may conduct a consultation without the presence of the case investigator if he or she considers that appropriate.

During consultation the case investigator should always ask whether the Crown expert is going to want to refer to notes when giving his or her evidence - if so we will need to obtain these, disclose them to the defence, add them to the indictment.

Thought should be given to any presentational aids and, where the expert is not one practising in an area where COPFS has a standard presentation, he should be asked if he has any materials such as diagrams which can help make his evidence clear. If the expert wishes to use these they will also require to be added to the indictment and disclosed.

In solemn cases there is a presumption that a consultation should be conducted with all Crown expert witnesses, including expert medical witnesses, unless:-

- The evidence relates to routine forensic analysis of drugs
- Confirmation has been provided by the defence that the evidence will be the subject of agreement; or
- A satisfactory statement from a medical witness has been submitted by the police in accordance with the Serious Crime Protocol.



Where an expert is speaking to something which is obscure and complex, care is required to ensure that the record of the consultation accurately reflects what the expert is saying. To avoid the risk of any misunderstanding between the case investigator, or Advocate Depute, and the expert after such a meeting has been conducted, and to ensure that the opinion of the expert has been accurately recorded it is essential that a written record of the consultation is made. Confusion and misunderstanding may arise particularly where there has been more than one consultation or where the prosecutor scheduled to conduct the trial has changed.

It is necessary to confirm with the expert that the opinion which he or she is expressing has been produced independent of any improper influence.

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## **8.7 Defence experts**

Occasionally we will be given a copy of the defence expert's report at an early stage and prior to reporting of the case and receipt of Crown Counsel's Instructions. The defence report should be shown to the Crown expert and discussed at the initial consultation.

In reality these defence reports are often only made available to the Crown late on in the court process and indeed at or after, Preliminary Hearings. When this happens, the defence report will at the very least have to be made available to the Crown expert and a request made that he produce a supplementary report commenting on this. If necessary a second consultation will need to be arranged to elicit and discuss the Crown expert's comments on

- the defence expert's qualifications and experience,
- the methodology used and
- the opinions reached
- The information on which the opinion was based

The Case Investigation Officer will also wish to explore why the Crown expert adheres to their position and why, therefore, in the Crown expert's opinion, the defence position is not correct.

Where the defence intimate their own expert, then it *may* be desirable to consult with that individual. Crown Counsel's view should always be sought as to whether this is appropriate or necessary before this exercise is undertaken.

If a consultation is held with a defence expert then great care should be taken not to explore areas relating to the details of clients' instructions, discussions relating to legal advice or other discussions between legal advisors and the expert witness, which may be covered by privilege or confidentiality. The consultation can, of course, cover the general instructions

received by the defence expert, the materials received, the scenarios he/she was asked to comment on, the methodology used and reasons for the conclusions reached.

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## **8.8 Consultations and Aide Memoir**

In 2010, aide memoir guidance was produced to assist in the consultation, of expert witnesses. The aim of that guidance is to help staff take full advantage of the knowledge and expertise of expert witnesses and to ensure that all areas of an expert's opinion are fully explored (and recorded) before a trial takes place.

The aide memoirs are intended to assist in structuring and conducting the consultation with experts, and to ensure that Case Investigation officers are better prepared for the consultation. The guidance highlights important issues that can be explored with experts during the consultation.


The aide memoirs have been produced following close consultation with relevant expert witnesses and Crown Counsel. By involving experts and Crown Counsel in the preparation of this guidance, the aide memoirs are designed to remind staff of the main aspects of expert evidence that are important for prosecutors at trial. They are intended to include reference to the principal areas that experts should be asked about, to ensure that staff fully investigate and develop their conclusions at the consultation and to elicit further useful evidence.

The aide memoirs also highlight that consideration should be given to how best the evidence could be presented in court. General issues relating to the purpose and capacity of expert witnesses, as well as specific questions relating to the procedures carried out by the expert and an explanation of the conclusions arrived at are also covered. There is also guidance on ways in which to approach any contrary defence opinion.

While the list of questions in each aide memoir is intended to be as comprehensive as possible, these should not be regarded as exhaustive. There may be additional questions that staff may wish to put to expert witnesses in the context of a particular case. Conversely, many of the questions in an aide memoir may not be applicable to the facts of each prosecution. They can also be used as general guide when consulting experts in other fields as many of the questions relating to methodology and defence reports are not specific to one type of expert.

[Aide Memoirs are available](#) in the following subject areas:

- Fingerprint Evidence
- Pathology
- XXXXXXXXXX
- Police Drugs Expert



A document highlighting some "[Top Tips](#)" for dealing with Expert Witnesses is also available on the [Knowledge Bank](#).

A CD-ROM is available which highlights the value of the aide memoirs during the consultation process and contains video clips of style consultations and informal interviews with experts, where the consultation process and various areas of expertise are discussed

Depending upon the outcome of the consultation it may be agreed that the expert should produce a supplementary expert Report, which should be lodged as a production in the case.

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### **8.09 Record of the Consultation**

The Record of the Consultation will not become a production in the case but should be typed and filed in the Crown Prosecution file and stored in the electronic case record.

A [Consultation Record Template](#) is available in SOS-R Solemn templates and should be created for each consultation held with a Crown expert witness. The case investigator will be responsible for completing Sections 1 to 3 of the Record of Consultation. Where a member of staff other than the case investigator conducts the consultation, without the Advocate Depute, then he or she will be responsible for completing the Record of Consultation. Where the Advocate Depute conducts the consultation without the precognoscer or an alternative member of staff present, then the AD will be responsible for completing the Record of Consultation.

Section 1 of the Record deals with expert's personal information, contact details, professional qualifications and experience.

Section 2 of the Record deals with the purpose of the consultation - the expert's report, and any issues arising from that. It should include any alternative or defence hypotheses or theories presented to the expert and the expert's concluded opinion.

Section 3 of the Record details when and where the consultation took place; the persons who were present; and which documentary and/or labelled productions were shown to the expert witness during the consultation, including the expert's own report.

After completing sections 1 to 3, the precognoscer should issue the typed Consultation Record to the expert for review and signature. This may be sent by *secure* email. If the

expert wishes to make a material change to the content of section 2 of the Record, then a further consultation may be necessary to clarify the reason for the proposed change. Any change to the expert's particulars, in section 1, will not usually require a further consultation. Any changes to the Record of Consultation must be made by the case investigator and the Record re-issued to the expert to complete the declaration in section 4.

## Declaration

The expert should be asked to complete the declaration section of the Record of Consultation, section 4. The declaration states that the Record is accurate; that the opinion is his or he own; that it has been produced independent of any improper influences; and that he or she is not aware of any additional information which should be disclosed either to the Crown or the defence. Since Record of Consultation will not be a production in the case the expert may append an electronic signature to the Record.

The completed Record of Consultation should be filed in the Precognition after the expert's statement and should also be uploaded onto the SOS-R electronic case record.

Given the potential importance and complexity of such evidence, thought must be given at an early stage as to how the AD can best present the expert evidence to aid the understanding of the jury. There is information on presentational tools contained within [chapter 1](#) of the Serious and Complex case guidance. If such presentational aids are being used, it is vital that the expert has a chance to see these and confirm their accuracy prior to his or her giving evidence. If, as is often the case, the presentation is altered subsequent to an initial consultation, then the expert must see the altered version prior to giving evidence.

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## 8.10 Disclosure obligations

The information contained within the Record of Consultation should be subject to the usual disclosure test according to the principles of disclosure. Any additional material should be disclosed to the defence appropriately.

The Record of Consultation process will be kept under review and any difficulties or queries in relation to the use of them should be brought to the attention of the Director of Serious Casework's Office in the first instance.

## 8.11 Amendment to reports or other productions

Experts are often required to comment on reports or productions produced by other people. Where that is the case, it is important to ensure that the expert has the opportunity to

consider any amendments made to these reports. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The changes may impact the expert's opinion either positively or adversely and it is obviously important for the expert to be aware of the final position of the Crown evidence which they are being asked to comment upon and, if necessary, to provide a revised opinion or report of their own. That should be done as early on in the process as is practicable but, in any event, prior to the expert being called in court as a witness. Ideally, the final reports will be available prior to the consultation but if they are not, they should nonetheless be made available to the expert. A telephone conversation to discuss the impact of any amendments may suffice but a further consultation should be held if necessary.

[REDACTED]

[REDACTED]

[REDACTED]. Similarly, experts should always have the opportunity to view any presentational tools that the Crown intend to use multimedia maps with cell siting, 3D images of victims [REDACTED]. Again, should these be amended, the updated version must be shared with the expert before they are called to give evidence.

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## 8.12 Presentation of Evidence in court

Thought must always be given at an early stage as to how the expert will present his evidence at court.

[REDACTED]

Where cell site evidence is being led then a multimedia disc should be used unless the evidence is very simple. This is covered in detail in [chapter 5.8.2](#) of the guidance.

The expert should always be asked if he or she has a presentational aid that will assist in presenting evidence, such as graphs, diagrams, anatomical pictures. If so these must be added as productions and disclosed.

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**Links - Chapter 8 Serious and Complex Case Guidance**

[REDACTED]

[REDACTED]

[REDACTED]

**Expert Evidence page**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**(iii) Consultation with Expert Witnesses and Record of Consultation**

(iv) **Directory of Expert Witnesses** - a link to the Law Society of Scotland Directory of Expert Witnesses.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(vi) [Expert Evidence](#) provides an introductory summary of the role and significance of expert evidence and links to two relevant cases.

(vii) [Guidance Booklet for expert witnesses](#)

[REDACTED]

(ix) [Precognition of expert witnesses](#) - further links to the Aide Memoires.

(x) [Role and Qualifications of Expert Witnesses](#) - links to case law and guidance.

(xi) [Top tips for working with expert witnesses.](#)