

Expert Evidence *

Preparation of Expert Reports

The claimant or respondent are to furnish to any expert whose evidence that party intends to adduce a copy of any **written statement, supplemental written statement, or further written statement** which may be material to the preparation of that expert's report – to be furnished in sufficient time to allow the expert to consider the contents for the preparation of their report and in any event not later than **2 weeks** before the expiry of time for the delivery of the experts' report

The claimant and respondent (on a date agreed between them but no later than **12 weeks** from the date of service of the Response) are to deliver to the other party or parties a **report of each expert** (if any) on whose evidence they respectively wish to rely containing a detailed statement of the evidence of that expert

Where any expert who has provided a report to a claimant or respondent wishes to give evidence by way of comment on or reply to the report of another expert, or part thereof, the party proposing to rely on the evidence of that expert shall deliver to the other party or parties a **supplemental report** – to be delivered not later than **4 weeks** from the date of receipt of the report concerned

The expert report and any supplemental report shall have appended to it any unpublished reports, articles, papers or other materials and where published a list of any reports, articles, papers or other materials on which the expert proposes to rely

Experts Meetings

The parties shall arrange for the experts on whose evidence in the same field of expertise those parties intend to rely, to attend an **experts meeting** to discuss the issues in respect of which those experts intend or will be asked to give evidence – meeting to be arranged within **4 weeks** of the expiry of the time for the delivery of any supplemental report

The parties shall in advance of that discussion prepare a list of the issues in respect of which the experts intend or will be asked to give evidence which shall form the agenda for the discussion

The experts shall then prepare and jointly submit to the Registrar and deliver to the parties a **memorandum in Form 12** identifying the areas relating to the issues concerned on which they have reached agreement and those on which they have failed to reach agreement – not later than **2 weeks** after the conclusion of the discussion between the experts

* Save where permitted by the Tribunal a claimant and respondent may each offer evidence from one expert only in a particular field of expertise on a particular issue. Where there are two or more respondents, the respondents shall jointly offer evidence from one expert only on any issue relating to quantum of damages, the physical condition of the claimant, the mental or psychological condition of the claimant or the prognosis as to the physical, mental or psychological condition of the claimant.