

COMPASS CHAMBERS  
EDINBURGH  
NOVEMBER 2024

EXPERT EVIDENCE  
SEMINAR 2:PRACTICE AND PROCEDURE  
ANDREW SMITH KC

# KENNEDY V CORDIA

- DUTIES OF COUNSEL AND SOLICITORS IN THE INSTRUCTION OF EXPERTS
- ENSURE THAT THE EXPERT IS AWARE

# CHOOSING AN EXPERT

- WHAT FIELD OF EXPERTISE?
- IS THERE ANY MORAL HAZARD WITH THE EXPERT?
- IS THE EXPERT SUFFICIENTLY EXPERIENCED AND QUALIFIED?

# CONTENT OF EXPERT REPORTS

- TERMS OF INSTRUCTIONS AND QUESTIONS ASKED.
- SUMMARY OF CV AND BACKGROUND
- SUMMARY OF OPINION
- STATEMENT OF UNCONTROVERSIAL FACTS
- STATEMENT OF REASONED OPINION
- DECLARATION
- APPENDICES: LIST OF PROVIDED MATERIALS AND CV

# PRACTICALITIES

- CERTIFICATION OF EXPERTS
- CONSULTATION WITH EXPERTS
- INDEPENDENCE
- VARIED PRACTICE OF EXPERTS

# USING COURT PROCEDURES

- OBJECTION TO EXPERTS
- JOINT REPORTS
- AGENDAS
- HOT TUBBING
- SUING YOUR EXPERT?
- TERMS OF ENGAGEMENT

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