

The Academy of Experts

Model Form of Expert Witness CV

‘Outline of qualification and experience’

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INTRODUCTION

In 1989 the Lord Chancellor approved the formation of the Judicial Committee of The Academy of Experts consisting of seven senior Judges representing the English, Scottish and Northern Irish Benches. In 2003, the Lord Chancellor approved inclusion of the Hong Kong Bench. In the last 25 years it has rendered invaluable assistance in the promotion and improvement of standards.

Like the Model Form of Expert's Report, the Model Form of Expert Witness CV was requested and approved by the Judicial Committee to assist Experts and their clients by indicating a format that the Judiciary would find most helpful – a “judge-friendly” format.

The Judicial Committee members* who have approved the Model Form of Expert Witness CV, are:

The Rt Hon The Lord Saville of Newdigate

President of The Academy of Experts

Chairman of the Committee

The Rt Hon the Lord Reed

Supreme Court

The Rt Hon Lord Justice Jackson

Court of Appeal

The Rt Hon Lady Justice Hallett

Court of Appeal

The Hon Mr Justice Bokhary

Court of Final Appeal - Hong Kong

The Hon Mr Justice Bean

Queens Bench Division

The Rt Hon Lady Smith

Court of Session - Scotland

The Hon Mr Justice Weatherup

High Court - Northern Ireland

The Hon Mr Justice Harris

High Court - Hong Kong

Nicola Cohen

Clerk to the Committee

The Committee was greatly assisted in its work by:

Paul England

Solicitor

Committee Secretary for the project

It is important to remember that the Model Form of Expert Witness CV is a Model and not a Standard form CV. Some courts and jurisdictions have particular and additional requirements. The Federal Court in the USA for example requires the inclusion of details of cases in which the Expert has been involved as an Expert and the Family Court in England & Wales expects that the Expert will have undertaken training as an expert witness within the last year.

The Model Form of Expert Witness CV is designed for use in all court, tribunal and arbitration proceedings. When appropriate it can be used in alternative dispute resolution.

* Committee members are shown in the posts they held at the time that the committee worked on the model.

1. WHY A MODEL FORM OF CV?

- 1.1 The Model Form of Expert Witness CV has been introduced in response to the concern of some senior judges that the CVs attached to expert reports are too long and contain personal and professional information that does not assist the court.
- 1.2 A particular problem often encountered is the failure of the expert witness to narrow the information provided to matters that are relevant to the dispute at hand, either directly or by way of background. Lists of every speaking engagement and publication in which the expert has been involved, and details of school achievements and personal interests are not helpful; nor are photographs.
- 1.3 When preparing a CV for the purpose of acting as an expert witness, the expert should have at the forefront of his/her mind the following guidelines:
 - 1.3.1 that all matters recorded in the CV must be focused on the subject matter of the dispute;
 - 1.3.2 that experts should include their breadth and depth of background only to the extent that it provides context to their relevant qualifications and experience.
- 1.4 The Judicial Committee of The Academy of Experts has commented that the hallmarks of a good CV are:
 - 1.4.1 brevity (as a guide, a CV should not generally extend beyond 3 pages);
 - 1.4.2 the provision of material in reverse chronological order (most recent first);
 - 1.4.3 the provision of material limited to professional experience only (for example, details of school, school activities and accomplishments, address, age, family, hobbies and non-professional interests, should not be included);
 - 1.4.4 the provision of clear headings;
 - 1.4.5 the use of short statements where possible, rather than lists (for example, providing the number of papers published and titles of publications concerned relating to a subject area, rather than reciting full reference details for each relevant to the instant case);
 - 1.4.6 clear presentation:
 - the use of A4 sized white paper;
 - the use of black text (not colour);
 - the use of font, line spacing and text size to match the main expert report to which the CV will normally be Appendix 'A';
 - 1.4.7 no appendices.
- 1.5 Although brevity is desirable it must not sacrifice the intrinsic value and purpose of the CV which is to demonstrate the Expert's qualification and experience for the case in question.

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2. SPECIFIC MATTERS TO BE INCLUDED IN AN EXPERT WITNESS CV:

2.1 An Expert Witness CV should not include a cover page, but should repeat the following details in the top right-hand corner of each page:

Curriculum vitae of : [State your name]
Specialist field : [State specialism]
On behalf of : [State party's name]
Prepared for : [State court]
Claim number : [State Claim number]

2.2 The following matters should be included where they are relevant to the subject matter of the dispute and/or its general context, and they should be set out in the same order as provided here:

2.2.1 the name of the expert, including title (Mr, Mrs, Dr, Prof etc) and any honours that follow the expert's name;

2.2.2 any qualifications, training, accreditation or certification;

2.2.3 a summary of the expert's present post, and details of previous posts;

2.2.4 a summary of the expert's principal specialisms, additionally, the expert should specify any aspect of their CV that is thought to qualify them for the particular case at hand;

2.2.5 awards, accolades and positions of professional responsibility other than those cited in accordance with the above;

2.2.6 a summary of the expert's membership of professional organisations;

2.2.7 a summary of published books on which the expert is an author or joint author, or for which the expert has contributed chapters, and any editorial roles that the expert presently fulfils or has had in the past;

2.2.8 a summary of research publications, including numbers, key journals and subject areas (this should not be a list – see 1.4.5);

2.2.9 a summary of the training, qualifications and accreditation as an expert witness that the expert has received, together with the organisation(s) that provided these and the dates on which the training took place.

3. AN EXAMPLE OF AN EXPERT WITNESS CV

3.1 The following pages provide a fictional example of how a CV might be drafted according to the **Model Form of Expert Witness CV**.

Curriculum Vitae of : Mr Raymond Smith
Specialist Field : Orthopaedic Surgery
On behalf of : Graham Wilson (Defendant)
Prepared for : Bristol County Court
Claim number : 9BS01111

Mr Raymond Smith

Curriculum Vitae

Qualifications, training, accreditation

Higher Training Certificate in Orthopaedics, 1993; FRCS, 1986; MBBS, 1980, University College Hospital, London.

Past and present positions

Present positions: Consultant Orthopaedic Surgeon, Dundee City University Hospital (2009 to present).

Past positions: Consultant Orthopaedic Surgeon, Andover NHS District Hospital (1995 to 2009).

Principal professional specialisms

I specialise in all aspects of hip and knee trauma and surgery, including: arthroscopy of the hip and knee; partial replacement, resurfacing and total replacement of the hip and knee; and sports injuries.

Awards, accolades and other professional responsibilities

I am a British Orthopaedic Association travelling fellow and I am the Lead for Clinical Governance at Dundee City University Hospital.

Memberships of professional organisations

I joined The Academy of Experts in 2005, and have been a Member of the British Orthopaedic Association since 1990, a Member of British Association for Surgery of the Knee (BASK) since 1990, and a Fellow of the Royal College of Surgeons since 1986.

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Published books and editorial roles

I am the author of Multiple Ligament Injuries (A City University Press (2010)) jointly with Mr Roy Marshall and a referee for the Journal of Orthopaedic Surgery (2009 to present day).

Research publications

I have published some 45 papers in peer-reviewed and practice journals on topics in orthopaedics generally, 32 of which relate to trauma and surgery of knees, including knee multi-ligament injuries, revision total knee replacement and fracture surgery. I have published mostly in the Journal of Orthopaedic Surgery, the Journal of Bone and Joint Surgery and the European Journal of Orthopaedic Surgery & Traumatology.

Training, qualifications and accreditation as an expert witness

I became a Full Practising Member of The Academy of Experts in 2009.

I have attended The Academy of Experts 'Expert Foundation Course'; 'Law and Procedure Course' and 'Into Court' (all between 2009 and 2011). These courses cover aspects of acting as an expert from expert's duties to conduct and procedure in court.

I regularly attend teaching and update conferences on all aspects of personal injury assessment and medico-legal practice. I most recently attended Solicitor Firm LLP's 2013 conference titled 'Expert Evidence and Duties'.

The Academy of Experts

The Academy

Located in Gray's Inn TAE was founded in 1987 with the objective of providing, for the first time, a professional body for experts to establish and promote high objective standards.

Although there is representation on the Academy's Council from the legal profession the majority of the officers, including the Chairman, are practising Experts - The Academy of Experts (TAE) is run by Experts for Experts and those using them.

Training and development

TAE offers a comprehensive range of training programmes to enable members to develop their expert skills, and undertake Continuous Professional Development activity. Courses range from basic Role and Responsibilities through to the requirements of Procedure Rules and the practice of Giving Evidence.

TAE is also a training and accreditation body for ADR Neutrals, including Mediators, Conciliators and Expert Determiners. It publishes and maintains The Register of Qualified Dispute Resolvers and awards the designatory letters QDR to those achieving the approved standard. Standards are enforced in exactly the same way as for experts.

Accreditation of experts

All applicants to TAE who wish to become Accredited Practising Expert Witnesses undergo a rigorous vetting procedure to ensure standards of excellence are maintained. This is the process which gives the officially recognised full accreditation as a Practising Expert. Those achieving it are awarded the designatory letters MAE. Ethical and professional standards are underlined by Codes of Practice and enforced by a disciplinary committee.

ADR

The promotion of Cost Efficient Dispute Resolution became increasingly important to TAE. It is now a major force in the introduction and development of Alternative Dispute Resolution (ADR) and has led to the development of the Faculty of Mediation and ADR.



Range of services

TAE provides a full range of services to its members including:

- Technical Helpline
- Bespoke Training
- Technical Meetings
- Magazine and regular newsletters
- A detailed Expert's Handbook for Practical Guidance
- A regular survey of expert's fees
- Regular meetings on matters of expert interest
- Social functions

TAE provides a number of services which assist both Academy members and the legal profession including:

- ExpertSearch Finding and matching the right accredited expert to the case.
- Full training & accreditation of Commercial Mediators. The Academy awards the qualification QDR (Qualified Dispute Resolver) to members on its register.
- Mediator Appointment Service - Finding the right accredited mediator.
- Membership also open to the legal profession.