



Expert witness

What is an expert witness?

In England and Wales an expert witness is a person whose opinion by virtue of education, training, certification, skills or experience, is accepted by the judge as an expert. The judge may consider the witness' specialised (scientific, technical or other) opinion about evidence or about facts before the court within the expert's area of expertise, referred to as an expert opinion.

Expert witnesses may also deliver expert evidence within the area of their expertise. Their testimony may be rebutted by testimony from other experts or by other evidence or facts.

In England and Wales expert witnesses produce reports under Civil Procedure Rules or Criminal Procedure Rules that state, among other matters, how experts should be independent and provide objective unbiased opinion on matters within their expertise and consider all material facts including those that might detract from their opinions. They further define the form and content of an expert's report including it being verified by a statement of truth.

We are experienced expert witnesses

In the past ten years our founding Director Andrew Clark has both supervised others undertaking the collection and investigation of digital evidence relating to civil and criminal investigations in the UK, as well as personally undertaken the collection and investigation of digital evidence and produced expert reports that have been relied upon in court.

He has given evidence in chief in Magistrates, Crown and High Courts and in General Medical Council and Solicitor's Regulatory Authority tribunals.

His expert evidence has been critical to findings in technically complex cases including:

- In The High Court Of Justice, Chancery Division, between Twentieth Century Fox Film Corporation, Universal City Studios Productions LLLP, Warner Bros. Entertainment Inc., Paramount Pictures Corporation, Disney Enterprises, Inc., Columbia Pictures Industries, Inc. (Claimants) and Newzbin Limited (Defendant). In this case The Honourable Mr. Justice Kitchin stated:

"The claimants called as an expert witness Mr Andrew Clark ... no criticism was made of Mr Clark, and rightly so. He was well qualified to assist me in relation to those matters upon which he gave evidence and I found him a careful and objective witness. In his report, Mr Clark provided an overview of Usenet. None of it was challenged".

- In Newcastle upon Tyne Crown Court, R –v- Anton Benjamin Vickerman (surfthechannel.com).
- In The High Court Of Justice, Chancery Division, Intellectual Property between Football Association Premier League Limited, NetMed Hellas SA, Multichoice Hellas SA (Claimants) and QC Leisure (a trading name), David Richardson, and AV Station Plc, Malcolm Chamberlain and Michael Madden, Sanjay Raval, David Greenslade, S.R. Leisure Limited, Phillip George Charles Houghton and Derek Owen (Defendants).
- In the Solicitors Disciplinary Tribunal, between Solicitors Regulation Authority (Applicant) and Brian Laurence Miller (First Respondent) and David Joel Gore (Second Respondent).

We would like to talk to you

If you need expert witness services please call us. We will schedule a free-of charge initial exploratory teleconference between us so we can understand your requirements and learn more of your needs and objectives.

We use this initial discussion to establish the areas within which we can provide our expertise and draw up a letter of engagement between us for your consideration.

Contact us

We look forward to hearing from you:

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