Starting out as an academic expert witness

*Mark Solon, solicitor and founder of Bond Solon, shares some tips for would-be expert witnesses.*

Many Oxford University academics might start acting as an expert witness when a lawyer (or Consulting Services) contacts them seeking a specialist in a particular field to assist in a legal dispute. If you are that specialist, becoming an expert witness is interesting, challenging, exciting and lucrative. So, if you are interested, how should you start? Here are some matters to consider.

An expert witness is someone who is independent of a legal case and is paid to assist the court to understand some technical issue that is in dispute. The expert must have relevant qualifications and experience in the field, and they have an overriding duty to assist the court before they are allowed to give their opinion on the issue. They should not try to assist the person who is paying their fee nor to act as some sort of advocate to win the case. So, they must be independent and must not bow to pressure from the solicitor who asks them to be involved and who may want the opinion changed to help their side in the dispute.

An expert needs two skill sets: firstly, as a specialist in the field and secondly, as an expert witness. They will have spent many years building up their knowledge in their field but they also need to know how to be an expert witness. This includes knowing how to construct a court compliant expert report, how to give oral evidence at a hearing and be cross examined, and the basics of law and procedure appropriate to an expert witness. It’s really important that any expert knows how to be an expert witness and there are serious consequences if they don’t. Also, do consider how it might feel to be cross-examined in court. Lawyers can be rude (they are just doing their job to test the evidence!) and experts have to feel sure this won’t unsettle them. This experience is both challenging and exciting as it will make you really think about your work.

We have asked solicitors what they look for in an expert witness and this includes:

* *Current academic expertise. An expert must speak from expertise based on current experience, and be up to date in the subject.*
* *Trained in how to produce a court compliant report, how to appear in court and must understand the basics of law and procedure.*
* *Impartiality and objectivity.*
* *Good written communication skills for preparing concise, relevant and jargon-free reports.*
* *Confidence.*
* *Efficiency.*
* *Thoroughness.*
* *Integrity.*
* *Secure systems so confidential material is not lost.*
* *Agreeable terms and conditions.*
* *Professional indemnity insurance.*

To get started and avoid potential pitfalls, you will need to be trained to be an expert witness. You must have a full and accurate CV with no gloss, as several experts have been severely criticised for inaccurate CVs in the past. You should also set up systems to make sure you can handle work effectively. Before you say yes to becoming an expert witness, do some research first.

Do visit: [https://www.bondsolon.com/expert-witness/](https://www.bondsolon.com/expert-witness) for much more information to help you.