
STATUTORY INSTRUMENTS

2011 No. 1709

The Criminal Procedure Rules 2011

PART 33

EXPERT EVIDENCE

Service of expert evidence

- 33.4.**—(1) A party who wants to introduce expert evidence must—
- (a) serve it on—
 - (i) the court officer, and
 - (ii) each other party;
 - (b) serve it—
 - (i) as soon as practicable, and in any event
 - (ii) with any application in support of which that party relies on that evidence; and
 - (c) if another party so requires, give that party a copy of, or a reasonable opportunity to inspect—
 - (i) a record of any examination, measurement, test or experiment on which the expert's findings and opinion are based, or that were carried out in the course of reaching those findings and opinion, and
 - (ii) anything on which any such examination, measurement, test or experiment was carried out.
- (2) A party may not introduce expert evidence if that party has not complied with this rule, unless—
- (a) every other party agrees; or
 - (b) the court gives permission.

[Note. Under section 81 of the Police and Criminal Evidence Act 1984(1), and under section 20(3) of the Criminal Procedure and Investigations Act 1996(2), rules may—

- (a) *require the disclosure of expert evidence before it is introduced as part of a party's case; and*
- (b) *prohibit its introduction without the court's permission, if it was not disclosed as required.]*

(1) 1984 c. 60; section 81 was amended by section 109(1) of, and paragraph 286 of Schedule 8 to, the Courts Act 2003 (c. 39).
(2) 1996 c. 25; section 20(3) was amended by section 109(1) of, and paragraph 378 of Schedule 8 to, the Courts Act 2003 (c. 39).