
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 19

EXPERT EVIDENCE

Expert's duty to the court

- 19.2.**—(1) An expert must help the court to achieve the overriding objective—
- (a) by giving opinion which is—
 - (i) objective and unbiased, and
 - (ii) within the expert's area or areas of expertise; and
 - (b) by actively assisting the court in fulfilling its duty of case management under rule 3.2, in particular by—
 - (i) complying with directions made by the court, and
 - (ii) at once informing the court of any significant failure (by the expert or another) to take any step required by such a direction.
- (2) This duty overrides any obligation to the person from whom the expert receives instructions or by whom the expert is paid.
- (3) This duty includes obligations—
- (a) to define the expert's area or areas of expertise—
 - (i) in the expert's report, and
 - (ii) when giving evidence in person;
 - (b) when giving evidence in person, to draw the court's attention to any question to which the answer would be outside the expert's area or areas of expertise;
 - (c) to inform all parties and the court if the expert's opinion changes from that contained in a report served as evidence or given in a statement; and
 - (d) to disclose to the party for whom the expert's evidence is commissioned anything—
 - (i) of which the expert is aware, and
 - (ii) of which that party, if aware of it, would be required to give notice under rule 19.3(3)(c).

[Note. The Practice Direction lists examples of matters that should be disclosed under this rule and rule 19.3(3)(c).]