



Further copies of this Code can be obtained or downloaded from:

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# Code of Practice for Experts

*This Code was endorsed on 22nd June 2005*

*by*

*Rt Hon Lord Phillips of Worth Matravers*

*Master of the Rolls & Chairman of the Civil Justice Council*

## The Code of Practice for Experts

### Preamble

This Code of Practice shows minimum standards of practice that should be maintained by all Experts.

It is recognised that there are different systems of law and many jurisdictions in Europe, any of which may impose additional duties and responsibilities which must be complied with by the Expert.

There are in addition to the Code of Practice, General Professional Principles with which an Expert should comply.

These include the Expert:

- Being a "fit and proper" person
- Having and maintaining a high standard of technical knowledge and practical experience in their professional field
- Keeping their knowledge up to date both in their expertise and as Experts and undertaking appropriate continuing professional developments and training.

### The Code

1. Experts shall not do anything in the course of practising as an Expert, in any manner which compromises or impairs or is likely to compromise or impair any of the following:
  - a) the Expert's independence, impartiality, objectivity and integrity,
  - b) the Expert's duty to the Court or Tribunal,
  - c) the good repute of the Expert or of Experts generally,
  - d) the Expert's proper standard of work,
  - e) the Expert's duty to maintain confidentiality.
2. An Expert who is retained or employed in any contentious proceeding shall not enter into any arrangement which could compromise his impartiality nor make his fee dependent on the outcome of the case nor should he accept any benefits other than his fee and expenses.
3. An Expert should not accept instructions in any matter where there is an actual or potential conflict of interests. Notwithstanding this rule, if full disclosure is made to the judge or to those appointing him, the Expert may in appropriate cases accept instructions when those concerned specifically acknowledge the disclosure. Should an actual or potential conflict occur after instructions have been accepted, the Expert shall immediately notify all concerned and in appropriate cases resign his appointment.
4. An Expert shall for the protection of his client maintain with a reputable insurer proper insurance for an adequate indemnity.<sup>1</sup>
5. Experts shall not publicise their practices in any manner which may reasonably be regarded as being in bad taste. Publicity must not be inaccurate or misleading in any way.
6. An Expert shall comply with all appropriate Codes of Practice and Guidelines.

<sup>1</sup>The Academy of Experts has a prescribed minimum requirement for £500,000 for professional indemnity cover.

**EuroExpert**



This Code applies to all those undertaking Expert work irrespective of their profession, trade or calling.

The Code complies with the requirements of EuroExpert (the Organisation for European Expert Associations).

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