

Established in May 2024.

Relating to Articles 4-26.

NOTE: These Regulations were approved by the Expert Witness Institute Board in May 2024. Full details and the latest guidance for those interested in applying for Membership are explained on the EWI Website at [www.ewi.org.uk/membership](http://www.ewi.org.uk/membership).

These Regulations apply from 29<sup>th</sup> May 2024.

## **1 Categories of Personal Membership**

The Expert Witness Institute (EWI) offers different levels of membership to support expert witnesses whether they have extensive experience or are just starting out, enabling them to gain recognition for their practice.

EWI also have personal membership packages for those who work with or employ experts.

The standard benefits available to all members can be accessed at:

<https://www.ewi.org.uk/Membership/Why-Join-EWI->

EWI offers the following categories of Personal Membership:

1. [Prospective Membership](#)
2. [Provisional Membership](#)
3. [Full Membership](#)
4. [Certified Membership](#)
5. [Fellow of the Institute](#)
6. [Certified Fellow of the Institute](#)
7. [Associate Membership](#)
8. [Student Membership](#)
9. [Sabbatical Membership](#)
10. [Retired Membership](#)
11. [Honorary Fellow of the Institute](#)

## **1.1 Prospective Membership**

Prospective Membership is designed for those just starting out as an expert witness who have not completed core training. It is expected that Prospective members will undertake the necessary training an upgrade to Provisional Membership within a year.

Prospective Membership enables the member to gain discounts on all our training including our Core Training Package. They are not entitled to appear on the Find an Expert Directory, to use any EWI Membership logo or postnominals.

### **1.1.1 Requirements**

1. Demonstrated knowledge and experience in the area or areas of professed skill or expertise.
2. Required personal attributes to be an Expert Witness.

### **1.1.2 Application**

All applications must be made through the EWI website. Applicants will be asked to submit the following documents/information as part of their application:

- Current CV
- Proof of membership of appropriate regulatory body (if applicable)

### **1.1.3 Assessment**

All applications will be assessed by the EWI Membership Manager or another appropriate member of staff.

A list of approved members is provided to the Membership Committee on a monthly basis.

## **1.2 Provisional Membership**

Provisional Membership is designed for those who are new to being an expert witness, have completed core training, and would benefit from the support of more experienced Members and Fellows in providing advice on all aspects of being an expert.

As a Provisional Member, as well as other benefits, the member will appear on the Find an Expert Directory as long as they have completed the required Core Training. This supports the member in gaining experience as an Expert Witness; enabling them to upgrade to Full Membership. They are not entitled to use any EWI Membership logo or postnominals.

Provisional Members are expected to upgrade to Full Membership within three years.

### **1.2.1 Requirements**

1. Demonstrated knowledge and experience in the area or areas of professed skill or expertise.
2. Required personal attributes to be an Expert Witness.
3. A commitment to Continuing Professional Development both as an Expert and as an Expert Witness including completion of core training (Law for experts, Report Writing, Discussions between experts) undertaken through the EWI or another provider.
4. Understanding of the law, regulations, and guidance for Expert Evidence.

### **1.2.2 Application**

All applications must be made through the EWI website. Applicants will be asked to submit the following documents/information as part of their application:

- Current CV
- Proof of membership of appropriate regulatory body (if applicable)
- Proof of current professional indemnity insurance for specifically for expert witness work
- Proof of completion of core training

### **1.2.3 Assessment**

All applications will be assessed by the EWI Membership Manager or another appropriate member of staff.

A list of approved members is provided to the Membership Committee on a monthly basis.

### **1.3 Full Membership**

Full Membership is designed for experienced practising experts who are looking to expand their practice and distinguish themselves as the best in their field.

This membership category is for experienced professionals of all disciplines who are established as expert witnesses and can meet the rigorous criteria. Applications for membership are vetted by EWI's membership committee.

As a Full Member, as well as other benefits, members will

- appear on the Find an Expert Directory;
- are entitled to use the Postnominal: MEWI after their name;
- and will be able to use the EWI Full Member logo

Once admitted to the Register members must remain in membership of EWI to retain the use of the post nominal letters.

If a Personal Member acts jointly or practises in partnership with one or more persons of whom not all are Personal Members of the Institute their post nominals shall not be used after their joint names or after the title of the firm or in any manner directly or indirectly calculated to suggest that all are Members of the Institute.

#### **1.3.1 Requirements**

1. Demonstrated knowledge and experience in the area or areas of professed skill or expertise.
2. Required personal attributes to be an Expert Witness.
3. A commitment to Continuing Professional Development both as an Expert and as an Expert Witness.
4. Understanding of the law, regulations, and guidance for Expert Evidence.
5. Ability to deliver a compliant and impartially presented Expert Report.
6. Ability to deliver a well-constructed, comprehensible Expert Report.

#### **1.3.2 Application**

All applications must be made through the EWI website. Applicants will be asked to submit the following documents/information as part of their application:

- Current CV
- Proof of membership of appropriate regulatory body (if applicable)
- Proof of current professional indemnity insurance for specifically for expert witness work
- Proof of membership of appropriate regulatory body
- An anonymised, expert witness report from a closed case which is compliant for the Court and Jurisdiction in which it was submitted.
- The contact details of three instructing parties who the EWI may contact for a reference.

#### **1.3.3 Assessment**

All applications will be assessed by the EWI Membership Committee. The assessment of Expert Reports uses the Assessment Criteria which can be found at Appendix 1.

## **1.4 Certified Membership**

EWI Certification is an assessment process which enables applicants to gain both recognition and validation for their current practice as an Expert Witness. By becoming an EWI Certified Expert, individuals will commit to undertaking ongoing Continuing Professional Development and they will be required to go through the Certification assessment every five years to revalidate their practice and retain their Certified status.

This membership category is for experienced professionals of all disciplines who are established as expert witnesses and can meet the rigorous criteria. Applications for membership are vetted by EWI's membership committee.

As a Certified Member, as well as other benefits, members will

- appear on the Find an Expert Directory;
- are entitled to use the Postnominal: MEWI (Cert) after their name;
- and will be able to use the EWI Certified Member logo

Once admitted to the Register members must remain in membership of EWI to retain the use of the post nominal letters.

If a Personal Member acts jointly or practises in partnership with one or more persons of whom not all are Personal Members of the Institute their post nominals shall not be used after their joint names or after the title of the firm or in any manner directly or indirectly calculated to suggest that all are Members of the Institute.

### **1.4.1 Requirements**

1. Demonstrated knowledge and experience in the area or areas of professed skill or expertise
2. Required personal attributes to be an Expert Witness
3. A commitment to Continuing Professional Development both as an Expert and as an Expert Witness
4. Understanding of the law, regulations, and guidance for Expert Evidence
5. Ability to deliver a compliant, well-constructed, comprehensible, and impartially presented Expert Report
6. Ability to participate constructively in Discussions of Experts and to create a good quality Joint Statement
7. Ability to give effective oral evidence in a tribunal or court

### **1.4.2 Application**

The following stages outline the application and assessment process which, by necessity for Certification, is more involved due to the additional requirements.

#### *1.4.2.1 Stage 1: Application*

To apply, applicants will first be required to complete an online application form and submit the following:

- A copy of their latest CV
- A list of CPD undertaken to improve Expert Witness practice over the last three years
- A 250-word statement reflecting on how the CPD has developed skills, knowledge, and practice
- An anonymised report from a closed case
- An anonymised joint statement that they have created, ideally, but not necessarily, linked to the report submitted. The report should have the name of their counterpart and their

counterpart's comments removed. EWI recognise that different jurisdictions/court systems have different approaches to Expert Meetings and Joint Statements. For example in the Family Courts, Joint Statements are written by a solicitor and in Scotland Expert Discussions are not commonplace. We will recognise this and where no joint statement is available for submission ask the Expert to submit a statement on the practice in their jurisdiction.

- A statement detailing their experiences in participating in Expert Discussions and reflecting on the joint statement submitted (where this has been submitted)
- A list of any judgments of which the expert is aware in which they have been named
- Details of three instructing parties who can act as referees.
- Confirmation that they are willing to abide by the [EWI Code of Professional Conduct](#).

#### *1.4.2.2 Stage 2: Pre-assessment review*

The submitted application will be reviewed by a member of EWI staff who has received training in Certification Applications to make sure that it is complete. Training provided to staff will cover an in depth understanding of the programme, procedures and the checks and verifications they will need to undertake on applications. Any queries will be resolved in discussion with the Membership Committee. Staff will identify whether the applicant needs a report assessed and/or a cross-examination assessment.

Referees will be contacted and asked to submit their reference. Referees will be asked for feedback on the applicant's practice in relation to core competencies 5,6, and 7.

#### *1.4.2.3 Stage 3: Report Assessment*

If the applicant was approved for Full Membership in the preceding 5 years, the assessment of their previous report will be used. This will be recorded in the application record for the assessors.

If a report is to be assessed, it will be assessed using the current method employed by the membership committee. The report will be submitted to an assessor from the membership committee who will review and score it based on the current expert report assessment criteria which can be found at Appendix 3.

As at present, it is expected that the majority of report assessments would be completed in 2-3 weeks. Whilst the assessment is being undertaken, the applicant can continue with Stages 3 and 4.

The results of the assessment will be recorded in the application record.

#### *1.4.2.4 Stage 4: Online Regulations Quiz*

The applicant will be invited to undertake the Online Regulations Quiz. Applicants will be able to select a quiz relating to the Jurisdiction and Court that they do most work in. The quiz will be 20 multiple choice questions based on those regulations. The Membership Committee have already created the relevant quiz for Civil Proceedings in England and Wales for the previous version of Certification so we will build on this experience to create additional quizzes.

On completion, the results will be recorded by a member of EWI staff in the application record.

#### *1.4.2.5 Stage 5: Cross-Examination*

If an applicant has successfully completed the Cross-examination module with Bond Solon in the last 5 years, their certificate will be used as evidence of this. This will be recorded by a member of EWI staff in the application record.

If the applicant requires a cross-examination assessment, the applicant will be cross examined by a barrister on a case (using the report submitted in support of their application). Cross-examination

will take place via Zoom or in person and will be recorded. The barrister will be provided with a copy of the competencies the assessor will be considering as part of the assessment and will be asked to give the candidate opportunities to demonstrate these. Any barrister participating in the programme will receive a full briefing, so they understand how the cross-examination assessment fits into the full assessment.

### **1.4.3 Assessment**

All applications will be assessed by the EWI Membership Committee.

## **1.5 Fellow of the Institute**

Fellowship is available to EWI Full members who have been in membership for at least a year.

This membership category is for experienced professionals of all disciplines who are established as expert witnesses and can meet the rigorous criteria. Applications for membership are assessed by EWI's membership committee.

As a Fellow, as well as other benefits, you will

- appear at the top of searches on the Find an Expert Directory;
- are entitled to use the Postnominal: FEWI after their name; and
- will be able to use the EWI Fellow logo

Once admitted to the Register you must remain in membership of EWI to retain the use of the post nominal letters.

If a Personal Member acts jointly or practises in partnership with one or more persons of whom not all are Personal Members of the Institute their post nominals shall not be used after their joint names or after the title of the firm or in any manner directly or indirectly calculated to suggest that all are Members of the Institute.

### **1.5.1 Requirements**

1. Member of the EWI for at least 1 year.
2. Demonstrated knowledge and experience in the area or areas of professed skill or expertise.
3. Required personal attributes to be an Expert Witness.
4. A commitment to Continuing Professional Development both as an Expert and as an Expert Witness.
5. Understanding of the law, regulations, and guidance for Expert Evidence.
6. Ability to deliver a compliant and impartially presented Expert Report.
7. Ability to deliver a well-constructed, comprehensible Expert Report.
8. Commitment to the importance of qualified Expert Witnesses and the improvement of standards.

### **1.5.2 Application**

All applications must be made through the EWI website. Applicants will be asked to submit the following documents/information as part of their application:

- Current CV
- Proof of membership of appropriate regulatory body (if applicable)
- A statement setting out why they believe their experience as an expert witness is significant.
- An anonymised, expert witness report from a closed case which is compliant for the Court and Jurisdiction in which it was submitted.
- The contact details of three instructing parties who the EWI may contact for a reference.
- Where they have experience giving evidence in hearings, the applicant will be asked to provide a list of any judgments of which they are aware in which they have been named. Where these relate to hearings which must remain anonymous (for example Arbitration hearings) they will be asked to state the number of hearings in which they have been named.
- A list of CPD they have undertaken to improve their Expert Witness practice over the last three years.



- A 250-word statement telling us how the CPD over the period has developed their skills and knowledge.
- A 250-word statement telling us about their experience in mentoring or training others.
- A 250-word statement telling us how they feel they can contribute to the Institute.

### **1.5.3 Assessment**

All applications will be assessed by the EWI Membership Committee. The assessment of Expert Reports uses the Assessment Criteria which can be found at Appendix 1.

If there are questions about the suitability of an applicant for Fellowship, then the applicant will be invited to an interview with 2 members of the Membership Committee.

## **1.6 Certified Fellow of the Institute**

EWI Certification is an assessment process which enables applicants to gain both recognition and validation for their current practice as an Expert Witness. By becoming an EWI Certified Expert, individuals will commit to undertaking ongoing Continuing Professional Development and they will be required to go through the Certification assessment every five years to revalidate their practice and retain their Certified status.

This membership category is for experienced professionals of all disciplines who are established as expert witnesses and can meet the rigorous criteria. Applications for membership are vetted by EWI's membership committee.

As a Certified Member, as well as other benefits, members will

- appear on the Find an Expert Directory;
- are entitled to use the Postnominal: FEWI (Cert) after their name;
- and will be able to use the EWI Certified Fellow logo

Once admitted to the Register members must remain in membership of EWI to retain the use of the post nominal letters.

If a Personal Member acts jointly or practises in partnership with one or more persons of whom not all are Personal Members of the Institute their post nominals shall not be used after their joint names or after the title of the firm or in any manner directly or indirectly calculated to suggest that all are Members of the Institute.

### **1.6.1 Requirements**

1. Demonstrated knowledge and experience in the area or areas of professed skill or expertise
2. Required personal attributes to be an Expert Witness
3. A commitment to Continuing Professional Development both as an Expert and as an Expert Witness
4. Understanding of the law, regulations, and guidance for Expert Evidence
5. Ability to deliver a compliant, well-constructed, comprehensible, and impartially presented Expert Report
6. Ability to participate constructively in Discussions of Experts and to create a good quality Joint Statement
7. Ability to give effective oral evidence in a tribunal or court
8. Will have successfully completed an application for Fellowship of the Institute

### **1.6.2 Application**

The following stages outline the application and assessment process which, by necessity for Certification, is more involved due to the additional requirements.

#### *1.6.2.1 Stage 1: Application*

To apply, applicants will first be required to complete an online application form and submit the following:

- A copy of their latest CV
- A list of CPD undertaken to improve Expert Witness practice over the last three years
- A 250-word statement reflecting on how the CPD has developed skills, knowledge, and practice

- An anonymised report from a closed case
- An anonymised joint statement that they have created, ideally, but not necessarily, linked to the report submitted. The report should have the name of their counterpart and their counterpart's comments removed. EWI recognise that different jurisdictions/court systems have different approaches to Expert Meetings and Joint Statements. For example in the Family Courts, Joint Statements are written by a solicitor and in Scotland Expert Discussions are not commonplace. We will recognise this and where no joint statement is available for submission ask the Expert to submit a statement on the practice in their jurisdiction.
- A statement detailing their experiences in participating in Expert Discussions and reflecting on the joint statement submitted (where this has been submitted)
- A list of any judgments of which the expert is aware in which they have been named
- Details of three instructing parties who can act as referees.
- Confirmation that they are willing to abide by the [EWI Code of Professional Conduct](#).

#### *1.6.2.2 Stage 2: Pre-assessment review*

The submitted application will be reviewed by a member of EWI staff who has received training in Certification Applications to make sure that it is complete. Training provided to staff will cover an in depth understanding of the programme, procedures and the checks and verifications they will need to undertake on applications. Any queries will be resolved in discussion with the Membership Committee. Staff will identify whether the applicant needs a report assessed and/or a cross-examination assessment.

Referees will be contacted and asked to submit their reference. Referees will be asked for feedback on the applicant's practice in relation to core competencies 5,6, and 7.

#### *1.6.2.3 Stage 3: Report Assessment*

If the applicant was approved for Full Membership in the preceding 5 years, the assessment of their previous report will be used. This will be recorded in the application record for the assessors.

If a report is to be assessed, it will be assessed using the current method employed by the membership committee. The report will be submitted to an assessor from the membership committee who will review and score it based on the current expert report assessment criteria which can be found at Appendix 3.

As at present, it is expected that the majority of report assessments would be completed in 2-3 weeks. Whilst the assessment is being undertaken, the applicant can continue with Stages 3 and 4.

The results of the assessment will be recorded in the application record.

#### *1.6.2.4 Stage 4: Online Regulations Quiz*

The applicant will be invited to undertake the Online Regulations Quiz. Applicants will be able to select a quiz relating to the Jurisdiction and Court that they do most work in. The quiz will be 20 multiple choice questions based on those regulations. The Membership Committee have already created the relevant quiz for Civil Proceedings in England and Wales for the previous version of Certification so we will build on this experience to create additional quizzes.

On completion, the results will be recorded by a member of EWI staff in the application record.

#### *1.6.2.5 Stage 5: Cross-Examination*

If an applicant has successfully completed the Cross-examination module with Bond Solon in the last 5 years, their certificate will be used as evidence of this. This will be recorded by a member of EWI staff in the application record.

If the applicant requires a cross-examination assessment, the applicant will be cross examined by a barrister on a case (using the report submitted in support of their application). Cross-examination will take place via Zoom or in person and will be recorded. The barrister will be provided with a copy of the competencies the assessor will be considering as part of the assessment and will be asked to give the candidate opportunities to demonstrate these. Any barrister participating in the programme will receive a full briefing, so they understand how the cross-examination assessment fits into the full assessment.

### **1.6.3 Assessment**

All applications will be assessed by the EWI Membership Committee.

If there are questions about the suitability of an applicant for Fellowship, then the applicant will be invited to an interview with 2 members of the Membership Committee.

## **1.7 Associate Membership**

Associate Membership is designed for those who with or employ experts for example Solicitors, Barristers, members of the Judiciary, and those who work for agencies or organisations who employ experts.

Associate Members have access to all our standard benefits. However, they are not entitled to appear on the Find an Expert Directory or to use any EWI Membership logo or postnominals.

### **1.7.1 Requirements**

Working in a relevant role for the category of membership.

### **1.7.2 Application**

All applications must be made through the EWI website. Applicants will be asked to submit the following documents/information as part of their application:

- Current CV
- Proof of membership of appropriate regulatory body (if applicable)

### **1.7.3 Assessment**

All applications will be assessed by the EWI Membership Manager or another appropriate member of staff.

A list of approved members is provided to the Membership Committee on a monthly basis.

## **1.8 Student Membership**

Student Membership is designed for those who are currently studying or in a trainee scheme who want access to information and insight but are not yet practising experts.

Student Members have access to all our standard benefits. However, they are not entitled to appear on the Find an Expert Directory or to use any EWI Membership logo or postnominals..

### **1.8.1 Requirements**

Currently studying or in a trainee scheme with an interest in the work of expert witnesses but are not yet practising experts.

### **1.8.2 Application**

All applications must be made through the EWI website. Applicants will be asked to submit the following documents/information as part of their application:

- Current CV
- Proof of student or trainee status

### **1.8.3 Assessment**

All applications will be assessed by the EWI Membership Manager or another appropriate member of staff.

A list of approved members is provided to the Membership Committee on a monthly basis.

## **1.9 Sabbatical Membership**

Members of the Institute may from time to time wish to temporarily suspend their expert witness work. This may be due to a number of reasons including, illness, maternity leave or working overseas. Such members are permitted to suspend their usual membership in favour of sabbatical membership. Members should advise the EWI in writing of their intention to do so along with a detailed explanation.

During a sabbatical membership, members are not entitled to use the EWI logo or post nominals and will pay a reduced subscription fee. Sabbatical members are reviewed every 12 months to ensure that this is still relevant to the member.

Sabbatical member details do not appear on the EWI Expert directory and will not be participate in the member referral scheme.

A list of approved members is provided to the Membership Committee on a monthly basis.

### **1.10 Retired Membership**

The majority of EWI members who retire from their main profession often simultaneously retire from their expert witness practice. Members who wish to maintain contact with the EWI can become Retired members providing they have an existing, current up to date membership. This affords the member some of the benefits of full membership but a reduced annual membership fee. Retired members are not permitted to use their previous EWI Membership logo or the EWI post nominals.

To apply for Retired membership, members should notify the EWI in writing that they are retired from expert witness practice.

Retired members are not entered on the on-line EWI Expert Directory and do not participate in the member referral scheme. They are entitled to all other membership benefits.



### **1.11 Honorary Fellow of the Institute**

The Governors may elect as an Honorary Fellow any person whether or not already or previously a Personal Member who in their opinion has rendered outstanding service to the Institute or has for some other reason deserved such election.

The Governors will decide when and how they will consider Members for Honorary Membership and publish this guidance accordingly.

An Honorary Fellow shall enjoy all privileges of Fellowship. An Honorary Fellow shall not be required to contribute to the funds of the Institute. If they had been a Personal Member with a category of Membership which allowed them to appear on the Find an Expert Directory, they will retain this status. If not, they will not be entitled to be placed on the Directory without agreement from the Board.

An Honorary Fellow shall be entitled to use the postnominals Hon. FEWI

If a Personal Member acts jointly or practises in partnership with one or more persons of whom not all are Personal Members of the Institute their post nominals shall not be used after their joint names or after the title of the firm or in any manner directly or indirectly calculated to suggest that all are Members of the Institute.

For the avoidance of doubt an organisation shall not be eligible for election as an Honorary Fellow.

## **2 Categories of Organisational Membership**

EWI provides corporate membership packages for those who work with/employ experts and those who provide services to the Expert Witness community.

The standard benefits available to all members can be accessed at:

<https://www.ewi.org.uk/Membership/Organisations>

EWI offers the following categories of Organisational Membership:

1. [Corporate Member](#)
2. [Corporate Partner](#)
3. [Supplier Partner](#)

## **2.1 Corporate Member**

EWI Corporate Membership is open to any organisation who employs or manages a panel of experts.

### **2.1.1 Requirements**

Corporate Members will be able to demonstrate that they check their experts' CV, proof of registration with their professional body, and provide professional indemnity insurance. They should also encourage their experts to engage in Continuing Professional Development. There must be a minimum of one EWI member on the management board.

### **2.1.2 Application**

All applications must be made through the EWI website. Applicants will be asked to submit the following information as part of their application:

- Company details
- Information about the areas of expertise covered by the organisation and geographical coverage
- Billing information if different from the company details
- Details of vetting and qualification procedures for those joining the organisation/the panel
- Details of the steps taken to encourage experts to undertake relevant CPD

### **2.1.3 Assessment**

All applications will be assessed by the EWI Chief Executive Officer or another appropriate member of staff.

Following submission of the online application, the assessor may seek additional clarification ahead of making a decision.

A list of approved members is provided to the Membership Committee on a monthly basis.

## **2.2 Corporate Partner**

EWI Corporate Partnership is open to any organisation who employs or manages a panel of experts.

### **2.2.1 Requirements**

Corporate Partners will be able to demonstrate that they check their experts' CV, proof of registration with their professional body, and provide professional indemnity insurance. They check the quality and compliance of expert reports prior to the acceptance of an expert witness onto their staff/panel and have systems in place to keep staff panel members up-to-date as well as identifying, dealing with and resolving any issues and poor practice. They should also encourage their experts to engage in Continuing Professional Development. There must be a minimum of one EWI member on the management board.

### **2.2.2 Application**

All applications must be made through the EWI website. Applicants will be asked to submit the following information as part of their application:

- Company details
- Information about the areas of expertise covered by the organisation and geographical coverage
- Billing information if different from the company details
- Details of vetting and qualification procedures for those joining the organisation/the panel
- Details of quality assurance practices
- Details of the steps taken to encourage experts to undertake relevant CPD
- Details of the steps taken to resolve issues

### **2.2.3 Assessment**

All applications will be assessed by the EWI Chief Executive Officer or another appropriate member of staff.

Following submission of the online application, the assessor will schedule a meeting to discuss the application in further detail. Following the meeting, a report will be submitted to the Membership Committee who will decide whether the application can be approved.

## **2.3 Supplier Partner**

EWI Supplier Partnership is open to any organisation who supply goods and services to the Expert Witness community.

### **2.3.1 Application**

All applications must be made through the EWI website. Applicants will be asked to submit the following information as part of their application:

- Company details
- Billing information if different from the company details
- Information about the goods and services provided and any discounts that will be offered.
- Testimonials from any Expert Witnesses that have used their service
- Details of referees from other organisations for which they provide member discounts

### **2.3.2 Assessment**

All applications will be assessed by the EWI Chief Executive Officer or another appropriate member of staff.

A list of approved members is provided to the Membership Committee on a monthly basis.

### **3 Confidentiality**

All applications will be stored and treated in a confidential manner by the Institute. Once applications have been assessed, Expert Reports are deleted from our files.

### **4 Admission to Membership**

The date of admission to membership will normally be that on which the application has been approved.

### **5 Re-admission to Membership**

Provisional or Full members who wish to reinstate their membership within three years of having been a member are able to re-apply for re-admission using the following light-touch application process.

This does not apply to those who previously held Prospective, Fellowship or Certified membership.

This who were Prospective Members should re-apply for membership using the standard process.

Those who were Certified or Fellows are permitted to use the re-admission process to re-join as a Full Member. They are then able to upgrade using the standard process.

#### **5.1.1 Requirements**

Those applying will need to demonstrate that in their period of absence from the Institute they have remained in practice as an Expert Witness and have maintained their CPD.

#### **5.1.2 Application**

Provisional or Full members who wish to reinstate their membership within three years of having been a member will be asked to supply:

1. Their latest CV
2. Proof of current membership of regulatory/professional body
3. Confirmation of continuing practice as an expert witness while not in membership
4. Proof of Professional Indemnity Insurance
5. Proof of continuing professional development while not in membership
6. Confirmation that they have downloaded our template declarations and statements of truth and checked their current report template(s) against these to make sure their reports are compliant.

#### **5.1.3 Exceptions**

Exceptions to the three years and the applicant's continuing practice as an Expert Witness can be considered by the Membership Committee if the applicant was unable to work (for example due to illness).

#### **5.1.4 Assessment**

All applications will be assessed by the EWI Membership Manager or another appropriate member of staff.

A list of approved members is provided to the Membership Committee on a monthly basis.

### **6 Application and Membership Fees**

Application and Membership fees will be agreed annually by the EWI Board.

## **Appendix 1 – Assessment of Expert Reports**

All Expert Reports are assessed by our Membership Committee who assess reports against our Assessment Criteria:

### **Compliance**

1. The report makes it clear what the substance was of all material instructions.
2. The report identifies and addresses the issues or questions in the case.
3. The expert sets out their qualifications, training and experience and explains how they are relevant to the case.
4. Within the report, the expert remains within their area of expertise and identifies any issues which fall outside their area of expertise.
5. All documentary evidence and materials that form part of the instructions are listed with sufficient particularity and detail for it to be clear what the expert has seen and when they were provided with the documents or materials.
6. The expert provides an objective and impartial opinion and/or recommendations/costs and avoids taking on an advocacy role on behalf of their instructing party.
7. The expert identifies, where appropriate, a range of reasonable opinion and/or recommendations/costs and makes it clear why their opinion is to be preferred.
8. The expert avoids usurping the role of the court in deciding disputed facts and ultimate issues.
9. The relevant legal tests and principles have been articulated and applied correctly.

### **Best Practice**

10. The report is well written, unambiguous, and clear.
11. In addressing the issues or questions the expert provides reasons which are easy for a non-specialist to understand and which are logically and clearly derived from the evidence in the case and / or the expert's field of practice.
12. The report explains terms and technical issues and/or costs so that they may be understood by a layperson.
13. The report has good, appropriate, and logical structure, including a summary and/or summary of costs.
14. The expert sets out their methodology or process of investigation with sufficient clarity to be understood by a layperson and with sufficient explanation for the court to assess the evidentiary reliability of their opinion.
15. The report is sufficiently succinct and focused.

### **Final Compliance Check**

16. The report is compliant with the rules, regulations and guidance for the jurisdiction and court for which it was submitted and EWI best practice guidelines.