

**CRIMINAL JUSTICE (EVIDENCE)  
(NORTHERN IRELAND) ORDER 2004**

**S.I. 2004 No. 1501 (N.I. 10)**

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**EXPLANATORY MEMORANDUM**

**COMMENTARY ON ARTICLES**

*Expert evidence: preparatory work*

55. **Article 31** seeks to address the problem that arises where information relied upon by an expert witness is outside the personal experience of the expert (eg work undertaken by an assistant) and cannot be proved by other admissible evidence. The intention is that the rules about advanced notice of expert evidence will be amended to require the advanced notice of the name of any person who has prepared information on which the expert has relied.
56. The Article will in certain circumstances enable the expert witness to base his evidence on any information supplied by that assistant on matters of which that assistant had personal knowledge.
57. The Article applies if:
- The statement was prepared for the purpose of criminal proceedings;
  - The expert's assistant had, or might reasonably be supposed to have had, personal knowledge of the matters stated; and
  - A notice has been given under the advance notice rules of the name of a person who has prepared a statement on which it is proposed that the expert witness should base any opinion or inference, and the nature of the matters stated.