

Paper Number: 65

The roles and responsibilities of geoscientists providing expertise in civil and criminal proceedings – a practical guide to the requirements and avoiding pitfalls

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This contribution aims to provide an accessible introduction to the roles and responsibilities of geoscientists in providing expertise in civil and criminal proceedings. It should be of interest to geoscientists (working in academia, industry or government service) who have been or may in the future be instructed as experts in legal proceedings and in other dispute resolution forums (arbitration, mediation, expert determination *etc*). It would also be of interest to earlier career geoscientists who may support more senior colleagues in undertaking investigations and analysis that is incorporated in evidential reports.

The contribution will draw on the author's considerable experience of acting as an expert in legal proceedings and other dispute resolution, both in the UK and internationally and will cover the following:

- Information about the range of circumstances in which geoscientific expert advice and/or evidence could be required (e.g. court, arbitration, ADR, planning or policy related public hearings).
- Explaining what experts are required to do in each of these circumstances, their duties and responsibilities, and how their work relates to that of others (e.g. those instructing them in civil cases, prosecution or defence lawyers, the court/arbitrator, legal advisors).
- Some comments about qualifications and experience needed to work in this arena, an overview of international and national standards and regulations governing the conduct of experts [1], [2], [3], and the role of professional geoscience organisations and licensing bodies in regulating this area of professional practice.
- Reference to real and imaginary case histories to illustrate the role of the geoscience expert and to reinforce 'golden rules' and pitfalls.

References:

[1] International Chamber of Commerce (ICC), International Centre for ADR (2015) *EXPERT RULES: Proposal of experts and neutrals, Appointment of experts and neutrals, Administration of expert proceedings.*

www.iccwbo.org/Data/Documents/Business-Services/Dispute-Resolution-Services/Experts/Rules/2015-ICC-Expert-Rules-ENGLISH-version/

[2] United Kingdom Ministry of Justice, *Civil Procedure Rules*, <https://www.justice.gov.uk/courts/procedure-rules/civil/rules>

[3] United Kingdom Ministry of Justice, *Criminal Procedure Rules*, <http://www.justice.gov.uk/courts/procedure-rules/criminal>

