

Witness Statements in the Business & Property Courts – PD57AC

Synopsis

From 6 April 2021 there are new rules on interviewing witnesses and drafting trial statements for cases in the Business & Property Courts.

Litigators need to adopt new ways of working to make sure they don't fall foul of the sanctions. This practical course will help you to understand what you can and can't do when interviewing; what you must now include in trial witness statements; and what should be left out.

Duration

2 hours

Format

Interactive online course based on a case study. The course includes video of an interview, small group work and polls

Delegates

Litigators running cases in the Business & Property Courts
Maximum 20 per course

Outcomes

As a result of attending the course, you will know:

- how to conduct interviews that comply with PD57AC
- what a leading question is and how to avoid using them inappropriately
- when you can and cannot show documents to a witness
- what to include in (and exclude from) a trial witness statement
- whether you can sign the certificate of compliance on a witness statement

Content

- Pre-reading – short case study
- How might you influence a witness's statement?
- Interviewing – the do's and don'ts
 - Planning – how to sequence your questions
 - Leading questions - how to avoid using them inappropriately
 - When can you show documents to a witness?
 - Keeping interview records
- Drafting a statement
 - Content – organising, including, excluding
 - Using the witness's words
 - Basing a draft on the documents
 - Perfecting the draft
- Challenging your opponents' witness statements
 - Spotting the problems
 - Invoking the sanctions