



WITNESS FAMILIARISATION

Witness evidence is a vital part of hearings. Hearings are expensive and stressful. Witness evidence giving should not be left to chance. Poor communication skills and an inability to answer questions effectively can have a significant impact on cases. Our innovative tailored sessions give witnesses the essential knowledge, confidence and communication skills required for hearings.

Why use Legal Experience Training?

Legal Experience Training is a leading provider of Witness Familiarisation across the UK and internationally, Top Ranked in Chambers Support Litigation 2019 and 2020 with the following entry:

"The witness training programme is well structured and a step ahead of its competition".

Established in 2009 by two senior barristers and a solicitor (having between them over 75 years of experience of legal practice) we rapidly gained the confidence of litigators nationally and internationally. We are regularly instructed direct by corporate clients, law firms and by recommendation from Members of the Bar. Our training is accredited and approved by several Professional Bodies. Our team of senior solicitors and barristers are experienced communication skills tutors with a track record of delivering highly effective familiarisation sessions. We have expertise in working with witnesses from or giving evidence in the United Kingdom, France, Greece, Germany, Norway, The Netherlands, Ukraine, USA, Russia, UAE, Oman, Qatar, Kuwait and more. This includes witnesses giving evidence in a range of legal fora such as the High Court, International Courts, Arbitrations, International Arbitrations, Tribunals, Disciplinary Hearings and Public Enquiries. We often work with interpreters and those giving evidence remotely.

"There is tremendous value in ensuring that witnesses do not fall short simply because they are in an unfamiliar environment. The familiarisation training provided by Legal Experience Training, quickly and very effectively gives witnesses the confidence they need to testify at their best. One of our witnesses said: "without this training I would have been naked".

Stephen Brown, Barrister – Wilberforce Chambers London, former Partner Jones Day Solicitors

What witnesses gain from attending our Witness Familiarisation?

Witnesses gain an understanding of the theory, practice and procedure of giving evidence. They consider the layout of the court, the likely sequence of events when giving oral evidence and a balanced appraisal of the different responsibilities of the various participants, including the cross-examination techniques used to test witness evidence. Our Witness Familiarisation includes cross-examination role-play to give the witness greater familiarity with, and confidence in, the process of giving oral evidence.

Witness familiarisation is not witness coaching, which is prohibited in the United Kingdom. The Guidance on Witness Preparation (Bar Council Professional Standards Committee October 2005) says that "*witness familiarisation is to be welcomed...and prevents witnesses from being disadvantaged by ignorance of the process or taken by surprise at the way in which it works*". Witness Familiarisation must not include coaching on the actual case and to that end must not be conducted by solicitors or barristers instructed in the case. Leave it to our expert team to ensure your witnesses are ready to give best evidence. PTO

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What do we offer?

- **Witness Familiarisation – Case Preparation followed by**
- **Witness Familiarisation – Intensive Cross- Examination Role Play – length varied to suit need.**

Witness Familiarisation - Case Preparation

Witness Familiarisation - Case Preparation is vital for any witness to help them prepare to give evidence. Witnesses will consider the process, procedure and techniques used for scrutinising evidence. Advice is given about the duty to the court, how to identify the key issues and evidence, how to assist the court to understand the evidence and how to distinguish the role of the witness from the role of the advocate. Simple visual aide memoires help to demystify the role of the witness and assist witnesses to give clear confident and credible evidence to the court or tribunal. The dark arts of cross-examination will be explained and witnesses will be given guidance on how to handle cross-examination and communicate their evidence effectively avoiding their evidence being blocked or distorted. Witnesses will be equipped with the knowledge, practical skills and confidence to give evidence effectively.

The session will cover:

- Understanding the hearing process, practice and procedure
- Understanding the role of the witness to be honest, clear, objective and helpful
- Effective preparation of evidence before a hearing
- Evaluating how to present evidence to best effect
- Understanding the purpose and techniques of cross- examination
- Dealing with questioning under cross-examination with confidence, credibility and clarity
- Understanding how to use documents and other evidence at the hearing
- Do's and don'ts for a witness and tips for survival in the witness box
- Giving evidence via a remote conferencing link

Witness Familiarisation – Intensive Cross-Examination Role Play

Witness Preparation – Case Preparation should be followed consecutively by Intensive Cross-Examination Role Play. The length of the cross-examination can be tailored to the particular needs of the witnesses. The witness will be given tips on how to dissect evidence to prepare to handle cross-examination. Feedback from witnesses and instructing lawyers has indicated that this has been highly effective in getting witnesses to set aside time to fully engage and prepare for the hearing. This support is vital for witnesses giving evidence in complex cases. During the role play the witness is provided with realistic and challenging practice cross-examination to demonstrate how weaknesses are exposed in evidence and how the witness must respond to such challenges. The tutor uses a range of different cross-examination techniques to give the witnesses a real experience of the level of scrutiny of evidence during the hearing. Specific tips and examples highlight the different techniques used in cross-examination and how the witness can handle these. The cross - examination role play is stopped every 5 minutes to give structured feedback. This helps to build skills and confidence in witnesses as they progress through the role play. The tutor will work with the witness to remove the blockers to effective communication due to anxiety, lack of confidence, anger, aggression or other behavioural characteristics. This assists with posture, tone, speed of delivery, precision and accuracy in language. Witnesses leave with a toolkit of skills to present their evidence.

The session will cover:

- Identifying how to develop topics arising in a cross-examination role play
- Considering how to handle difficult cross-examination techniques
- Giving evidence with confidence, clarity and credibility
- Anticipating and dealing with strengths and weaknesses in the evidence
- Helping the decision maker understand the evidence
- Evaluating appropriate posture, pace, tone, pause, speed and behaviour
- Giving reasons for answers and including any supporting documentation
- Avoiding unnecessary pitfalls in evidence giving including language and accuracy
- How to handle giving evidence via a conferencing link
- Detailed and supportive feedback on the content and presentation by communication experts

Advising on and tailoring the length of the sessions for the client.

We have a personal approach and like to work closely with lawyers and witnesses to identify the best structure and format for the sessions. We consider the number of witnesses to include in a session and the amount of time required for the Witness - Familiarisation Intensive Cross-Examination Role Play. We can work with small groups or one to one or one to two. We want what is best to build confidence and competence in witnesses and to support them to effectively prepare for giving evidence.

What our clients say and references

We are able to provide detailed references from those who have engaged Legal Experience Training; however here is a sample of recent feedback that we have received. A * indicates that for reasons of confidentiality it is not possible to disclose individual names.

"I feel much better prepared for my upcoming testimony. The session was extremely thorough and helpful. It is essential preparation for a witness. The tutor had a very good interactive style and gave very tangible answers" and "Excellent and experienced tutor, it was good to have Director level attention and advice".

Witnesses of Fact * referred by Clifford Chance in an International Arbitration case

" After recently giving evidence I am writing to say how helpful the training session proved to be. There were many valuable pieces of advice, cautions and tips which I was able to apply and it made the whole process interesting, exciting and enjoyable. I am grateful for the training and supporting documentation provided. Thank you very much. Whenever I have the opportunity, I shall not hesitate to recommend your course to others.

Philip Santo, Director , Philip Santo and Co.

"Legal Experience Training provides outstanding guidance and training; prospective witnesses develop a composite understanding of the court process, their role and their duty to the court as well as gaining much needed confidence. One of our witnesses commented: this training was invaluable and the tutor was very effective".

Gaby Kaiser, Partner – Clyde & Co LLP

"This course was excellent and extensively helpful. I am sure that it will be invaluable in the future. The tutor was excellent, very clear and helpful".

Hilary Sharpe, Tax Partner – PKF (UK) LLP

"The session was excellent. My comment on the tutor: Perfect! Clearly very knowledgeable in subject and engaging in presentation".

Jonathan Coates, Partner – Construction Resolution LLP

"The course exceeded my expectations. The course was very good and the tutor was an excellent presenter".

Lawrence McGinley, Senior Manager – BDO LLP

Who do I contact to ask for further information?

**For further information please contact:
info@legalexperiencetraining.com or call 0207 221 2453**