



Legal Experience Training Ltd



## 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, the firm is ranked **Band 1 (highest band) in the 2022 Chambers Litigation Support**.

Legal Experience Training ('LET') was established in 2009 by two senior barristers/judge and a solicitor. LET provides Witness Familiarisation for witnesses of fact and expert witnesses in the UK and internationally. The firm is instructed direct by organisations, law firms and by recommendation from Members of the Bar. The firm has expertise in preparing witnesses to give evidence in courts, international arbitrations, domestic arbitrations, tribunals and regulatory hearings often where millions and sometimes billions of pounds are at stake. The firms provide familiarisation to witnesses involved in less valuable cases of great personal and professional importance to the individuals concerned.

LET assists witnesses to prepare and give evidence in fully virtual hearings, hybrid hearings or face to face hearings. The firm have unrivalled experience in working with witnesses from or giving evidence in the following jurisdictions: United Kingdom, The Channel Islands, UAE, Oman, Kuwait, Qatar, Russia, Ukraine, USA, France, Germany, Norway, Australia, Scotland, Ireland, Australia, New Zealand, Hong Kong, Singapore, South Africa, Brazil, Trinidad and Tobago.

*"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**

### Tailored Witness Familiarisation sessions for each client

LET offer bespoke flexible options to clients including grouping witnesses or arranging one-to-one sessions. Tutors adjust the length and intensity sessions to suit individual witnesses. LET has a flexible approach to when and where the session will take place. The training can be delivered remotely via a conferencing link or face to face or as a hybrid. The sessions are run to accommodate international times zones during weekdays/weekends. Tutors work with interpreters if required.

## What witnesses gain from attending our Witness Familiarisation?

Witness evidence is vital. A witness who fails to carry out structured preparation and is ignorant of the process is placed at a huge disadvantage. Their evidence may be lost, distorted or manipulated if they do not have the skills and confidence to allow their evidence to be understood by the decision maker(s).

### What do we offer?

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

The length and intensity of the sessions can be increased for significant witnesses or those that need more support in preparing for a hearing.

### Witness Familiarisation - Case Preparation

Sessions are led by barrister/solicitor tutors who are recognised communication experts in their own field. These sessions offer detailed guidance and a methodology to help witnesses prepare for a hearing by considering the weight, reliability and credibility of evidence. The session provides witnesses with a toolkit to identify strengths and weaknesses in their evidence. Witnesses receive tips on how to dissect evidence, to prepare to present their evidence effectively and to calmly manage cross-examination.

Feedback from witnesses and instructing lawyers has indicated that the *Witness Familiarisation – Case Preparation* session has been highly effective in getting witnesses to set aside time to fully engage with, and prepare for, the hearing. It enables the witness to spend time going through the evidence with a clear purpose. The session helps them to identify what evidence to present, how to present it and demonstrate why it is important. The tutors use simple visual *aide memoires* to demystify the role of the witness to help witnesses give clear confident and credible evidence.

#### **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

Cross-examination role play can be arranged to take place immediately after *Witness Familiarisation - Case Preparation* or after a gap in time to allow for reflection and the opportunity to implement the case preparation methodology on the case study to be used for the cross-examination role play.

LET uses a wide range of cross-examination techniques to give witnesses experience of the intense scrutiny of them and their evidence during cross-examination. Witnesses are provided with specific tips on the different techniques used in cross-examination and learn how to manage these. The cross-examination role play is stopped every 5 minutes or so to give structured feedback. This helps to build skills and confidence in witnesses as they go along and to incrementally improve the quality of their evidence. Witnesses are given practical tips about giving evidence via a conferencing link if this is required.

The tutors collaborate with the witness to remove the blockers to effective communication due to anxiety, lack of confidence, anger, aggression or other characteristics. This assists with posture, tone, speed of delivery, precision and accuracy in language. Witnesses leave with a range of skills to help them present their evidence calmly and with clarity. However, a witness is not an actor and should not be coached to act in giving their evidence and thus risk damaging their credibility.

## The session will cover:

- Identifying how to develop topics arising in a cross-examination
- Considering how to manage 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 manage giving evidence via a conferencing link
- Detailed and supportive feedback on the content and presentation by communication experts

## 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 – City Law Firm.**

*"Now that my ordeal is over, I wanted to take the opportunity of thanking you most sincerely for your excellent training. You really did teach an old dog new tricks which were invaluable when I was cross-examined".* **Senior lawyer referred by Clyde & Co in High Court Professional negligence claim.**

*"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, Director – BDO LLP.**

## Who do I contact to ask for further information?

**For further information please contact:**

**[info@legalexperiencetraining.com](mailto:info@legalexperiencetraining.com) or call **0207 221 2453****