

PRACTICE DIRECTION 1/2019- ATTENDANCE BY WITNESSES

Power to Issue Practice Directions

1. This Practice Direction is issued pursuant to Article 37.2 of the Regulations and Procedural Rules of the Court ('the Rules').

Witness Evidence

- 2. Matters relating to the filing of witness statements and the attendance of witnesses before the Court are governed by Article 27 of the Rules.
- 3. Witness statements (excluding those relating to experts which have different requirements) must contain a statement of truth in the following terms: "I believe that the facts stated in this witness statement are true". The witness statement must then be signed and dated by the maker.
- 4. Where a party has filed a witness statement which complies with the Rules, the other party (or parties) must indicate whether it challenges the factual content of that witness statement.
- 5. If a party fails to indicate that it challenges the factual content of any witness statement (including that of an expert) that has been filed in accordance with the Rules, the Court will usually direct that the maker of the witness statement is not required to attend Court to verify the witness statement and will usually accept the factual evidence contained in the witness statement as true.



6. Paragraphs 4 and 5 do not apply to hearings at which it is not anticipated that evidence will be by way of oral evidence

Lord Thomas of Cwmgiedd 4 July 2019