



Cross Examination Rules and Suggestions

Under the Natural Resources Conservation Board Act

- You should engage in cross examination only when this will achieve a clear benefit (such as directly contradicting, or undermining the persuasiveness of the evidence or arguments of another participant).
- Try to be direct, particularly when dealing with technical and scientific information. The Panel is after the best information it can get. Convoluted questions aimed at disclosing apparent inconsistencies in answers have limited value.
- Cross examination should only be done when the answer to be obtained will be directly helpful to the Panel on its disposition of the application (cross examination on minor details or peripheral matters is unlikely to be helpful).
- Be familiar with the other parties' submission before engaging in cross examination, since the question raised in cross examination may already have been answered. There is no merit in repeating other interveners' questions.
- Refrain from cross examination directed at submissions with which you are in agreement, since these "sweetheart cross examinations" generally do not assist the Panel and instead consume valuable hearing time.
- All parties may not reach the same conclusions; focus cross examination on matters of fact rather than on interpretation.
- Cross examination should not be used as a means of presenting final argument, nor should cross examination be turned into a debate.

February 23, 2015