



News

Reminders about expert evidence in high-volume work

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The Royal Institute for Chartered Surveyors (RICS) has issued advice to members working in high-volume cases.

The [practice alert](#)

[\[https://www.rics.org/content/dam/ricsglobal/documents/regulation/HDR-expert-witness-practice-alert.pdf\]](https://www.rics.org/content/dam/ricsglobal/documents/regulation/HDR-expert-witness-practice-alert.pdf) reminds surveyors of their legal, professional and regulatory obligations when providing expert witness services in all cases, and to warn of specific risks in housing disrepair and other high-volume work.

The alert says concerns have been raised with the institute about:

- experts using pre-populated templates or standard schedules of cost that do not reflect their own objective professional opinion
- professional qualifications and stated experience are inaccurate
- experts have, or acquire over the course of several instructions, a conflict of interest
- Also, MedCo, the organisation used to source medical report providers in low-value claims, has issued new guidelines for how examinations must be administered.

These include making sure examinations are not carried out in solicitors' offices.

More on the guidance is on [MedCo's website](#) [\[https://medco.org.uk/examination-guidelines-update-and-reminder-cloned/\]](https://medco.org.uk/examination-guidelines-update-and-reminder-cloned/).

In our [guidance on claims management activity](#)

[\[https://www.sra.org.uk/solicitors/guidance/claims-management-activity/\]](https://www.sra.org.uk/solicitors/guidance/claims-management-activity/), published last year, we outlined our expectations around expert witnesses. Specifically we say: 'You should also satisfy yourself that any expert reports your client's matter is reliant on are independent and credible. For example, you might take steps to review expert reports to assess information they contain and check underlying facts directly with your client. If you are concerned about the honesty or competence of expert witnesses, or the reliability of their reports, you should carefully consider next steps.'

We have already highlighted that the [high-volume claims sector](#) [\[https://www.sra.org.uk/sra/news/sra-update-137-high-volume-claims/\]](https://www.sra.org.uk/sra/news/sra-update-137-high-volume-claims/) is a concern for us. Those involved in such work, or other claims management activity,

might want to remind themselves of our guidance and be aware of what RICS has said to its members and the MedCo guidance too.