

## Hello 2026 : New Year, old challenges, fresh thinking

JANUARY 07, 2026



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**As another January gets underway, readers who have followed the MCMS Blog over the years will know that either Jonathan or I like to set out our wish list for the twelve months ahead. It's, in many ways, a task that has become increasingly easy because many of the same challenges roll forward year after year, with the same shared well-intentioned resolutions and hopes for the industry. Construction, after all, has no shortage of familiar challenges, and we are all pretty well-versed by now at rehearsing them. It would be easy, in fact, to copy a lot of [my 2025 wish list](#) and many of the 15 or so before that.**

So, this year, rather than another neatly numbered set of wishes, I want to step back and reflect on two closely related themes that I believe are becoming increasingly important for the health, credibility and resilience of our industry: diversity and learning. Not just whether we talk about them, but how we value them, how we apply them, and how seriously we take them.

### **A broader view of diversity**

When diversity in construction is discussed, gender is nearly always (and quite right too) the starting point. Some of the stats show that progress is being made, but there is still work to do. Yet diversity should not stop there. If we are serious about building a modern, adaptable industry, I think the conversation still needs to widen and so, not only regarding gender (important though that remains), but also in routes to qualification and the different ways people can enter and progress within the sector.

So my primary wish this year is for a more rounded understanding of diversity and one that includes not just who people are, but how they arrive in the industry. I touched on it in my 2025 wish list, but there is still an unspoken hierarchy that favours certain educational pathways over others. Traditional academic routes sit at the top, with vocational training, apprenticeships, and non-linear career journeys often seen as alternatives rather than equals. In reality, some of the most capable practitioners in construction have arrived via unconventional routes, bringing with them practical insight, commercial awareness and problem-solving skills that cannot be learned solely in a lecture theatre. A more diverse industry is a stronger one, particularly when projects become more complex and risks are more finely balanced.

This wider view of diversity becomes even more important when we look at construction dispute resolution. Panels and tribunals benefit enormously from varied perspectives. Whether in arbitration or on dispute boards, three-person panels work best when there is genuine diversity of professional background. True diversity means functional capability with legal expertise working alongside technical understanding, combined with local knowledge and industry experience, so that no single

tribe dominates the process. A question often raised at events and seminars is a simple one: who should arbitrate construction and engineering disputes? The answer must be those with the competence to decide law and to truly comprehend the projects before them. Specialist construction lawyers, experienced engineers, surveyors with tribunal training, and full-time neutrals who have lived on sites and later learned the language of law can all fit that description.

A phrase I find myself using a lot is “horses for courses,” but I think it reflects the reality that certain construction and engineering disputes genuinely require certain expertise, and that selecting panels from the problem outward is perhaps more important than revisiting the choice of “lawyers or technicians”? The better starting point is perhaps therefore to ask what expertise this particular dispute requires, and which mix of people gives the parties the best chance of a correct, proportionate and credible decision.

### **Learning doesn't stop at qualification**

My second wish is closely linked and that's a renewed commitment to lifelong learning. Construction and dispute resolution can be very good at helping people reach qualification, but often less good at encouraging learning beyond it. There is comfort in staying in your own lane, but growth undoubtedly comes from stepping outside it. I would therefore like to see more experienced practitioners actively giving back: mentoring, sitting on panels, sharing hard-won experience, engaging with ideas from outside the industry and supporting the next generation as they find their feet. Equally, we should be better at welcoming and open, genuinely open, to learning from newly qualified practitioners. This also sits nicely with my **theme for the year as Master of the Worshipful Company of Arbitrators**: *"Uniting Generations: Honouring our roots, growing our future"*. It commits to valuing traditions, ethics and standards that define alternative dispute resolution while shaping the years ahead through inclusion, creativity, development, and mentorship of the next generation. I regularly see the next generation bringing different perspectives, new skills, and a natural ease with new working practices and emerging technologies. It would be remiss of me not to mention AI at this point. There's nothing all too ground-breaking to say, except to reiterate that used properly, AI can make us more efficient and free up time for higher-value work. However, efficiency should not come at the cost of understanding. There is real value in doing the research the “old-fashioned” and long-winded way by reading source material, checking assumptions and forming one's own conclusions, which build judgement, intuition and professional confidence. If we outsource thinking wholesale to AI, we risk hollowing out the very expertise on which the industry depends. My wish here, like for many of us, is for balance and for AI to be managed and policed, not blindly trusted. That process is how expertise is developed, and it would be a loss to the profession if it quietly disappeared as quickly as a Premier League football manager.

Which leads me neatly and finally on to West Ham United. I'm uncharacteristically relaxed about whether we stay up or go down this season. Of course, survival is the preferred option (although admittedly looking increasingly unlikely after last's night result), but what I'd really enjoy is a proper West Ham v Millwall derby, whether that's in the Premier League or the Championship.

So, my industry hopes and wishes for 2026 are maybe less about ticking boxes and more about mindset: valuing diversity in all its forms, committing to learning at every stage of your career and using new tools wisely. I think if we can make progress on those fronts, many of the same old wishes may just start to look after themselves.

All that remains is to wish you all a very happy new year!



**MATTHEW MOLLOY**