

How to make friends and influence adjudicators (or at least not annoy them)

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“Report writing is the most important duty expected of an Expert witness”. This is what was drilled into us from the start of my RICS Expert Witness course which I completed online during COVID. Our course leader would constantly stress the importance of getting the basics right when it came to writing the report, and at the time, I remember thinking we were spending too long on this, but as I’ve since come to realise, how right he was

Having reviewed many expert reports over the years, I am astounded at how many of them neglect the basics – no spellcheck, no page numbers, no paragraph numbers, no clear indication of which number report they are referring to: initial, supplementary report or otherwise. And this is even before addressing the actual content and analysis of the report itself.

After all, our role is to *assist* not *annoy* the adjudicator, isn’t it? A rhetorical question, but an important one to keep in mind, nonetheless. I think a simple rule of thumb should be: if something irritates you as a reader, it’s more than likely going to annoy an adjudicator too.

We should be leading the adjudicator through the report by hand, guiding them with the prowess of a guide dog - you get the gist! Rubbing the adjudicator up the wrong way by over-looking the basics of report writing is never a great move. If we produce a report that directly addresses the question actually referred to us — the precise issue we’ve been instructed to investigate — then we’re doing our job. Sticking to the point. Avoiding the waffle. Not rambling on for page after page. This is what an adjudicator needs: clarity, focus, and relevance, and a report that helps them reach a well-informed decision, not one that sends them searching for the actual argument buried somewhere in the middle. We might have a definitive opinion but if we can’t express it with clarity and structure, it won’t assist the adjudicator at all. Because clarity isn’t optional: it’s essential.

Aristotle, I think, had the right idea: *‘Tell them what you’re going to tell them. Tell them. Then tell them what you’ve told them.’* That way our opinion will be clear. A beginning, a middle, and an end. An introduction, the body and a conclusion.

So, with the structure and discipline in place, and the basics nailed down ... now comes the hard part: the content.

Experts play a vital role in the dispute resolution process, but even the most qualified professionals can undermine their credibility by unintentionally becoming a source of irritation. Here are my suggestions for how to stay helpful, professional, and persuasive without frustrating the very person they’re supposed to assist: the adjudicator!

1. Explain complex or technical issues clearly and concisely.

Avoid jargon where possible and aim for simplicity without dumbing things down. Consider using alternative methods to support your explanation such as diagrams, flowcharts, or worked examples. As the saying goes, a picture paints a thousand words, and in many cases, a well-designed graphic can be far more effective than paragraphs of dense text. As a QS by trade, I've always had a soft spot for highlighter pens—marking up drawings for take-offs, colour-coding spreadsheets in Excel, you name it. I love a bit of visual organisation. But here's something I hadn't fully appreciated until recently (thank you, Google AI): approximately 8% of men and 0.5% of women have some form of colour vision deficiency - more commonly known as colour blindness. That's around 1 in 12 men and 1 in 200 women. In the UK alone, that works out to about 4.5% of the population, or roughly 3 million people. That's a surprising number and suddenly makes my rainbow spreadsheets seem less universally helpful. It also reminded me of a family member who, as a child, once drew a green horse. We were in stitches. He also became the unintentional entertainment during snooker matches, consistently potting the wrong-coloured ball... much to our delight (and his frustration).

Back to the topic in hand, and with accessibility still in mind, it's worth rethinking our reliance on colour alone. Alternatives such as using symbols, clearly labelled text in adjacent columns, or a ledger explaining the colour scheme can help make visual data more inclusive and user-friendly.

2. Provide a clear summary of opinion

Busy decision-makers don't always have time to wade through pages of text to find your key conclusions. A well-structured summary—particularly in a table format—makes it easy for an adjudicator to see your position at a glance. The columns may represent, for example, the issue or question; your conclusion; supporting evidence or references (briefly stated); and any qualifications or assumptions made. This also helps the report serve as a quick reference document during proceedings or deliberations.

3. Stay in your lane

In the context of expert reporting, maintaining credibility depends not only on subject-matter knowledge but also on professional restraint. Adjudicators rely on experts to provide insight based on clearly defined expertise. Straying outside one's field—or overstating confidence in an issue is likely to be picked up immediately and will only frustrate the adjudicator. Overreach, or unsupported conclusions are easily identified and often diminish the weight of an otherwise strong report.

4. Identify any assumptions made clearly

Every expert analysis is built on some form of assumption—whether it's about data accuracy, the scope of works, timelines, or contractual interpretation. Experts should clearly acknowledge the limits of their knowledge – so if an issue falls outside their domain, it is appropriate and expected to state this explicitly and, where relevant, explaining the impact if they were to change. For example: "This conclusion assumes the variation was instructed on [date]; if instructed later, the delay analysis would differ." This transparency supports the credibility of your opinion and hopefully allows the adjudicator to consider the assumptions when weighing your conclusions.

5. Provide ranges and/or options

Not every issue has a single fixed answer. Where a range of outcomes is possible (e.g., costs, quantities, time periods), explain that range and what factors influence it. Similarly, where there are viable alternative approaches or interpretations, it's always helpful to lay them out objectively. Providing options, rather than insisting on a single solution, can show balance, realism, and professional judgement – just what the adjudicator ordered!

6. Clearly identify areas of agreement and disagreement with the opposing expert

I think this is really key to narrowing the issues. A joint statement of experts can be incredibly helpful, but even in your standalone report, clearly flagging points of agreement and disagreement shows your objectivity and hopefully helps the adjudicator focus on what's in dispute. Where possible, I think it's helpful to use figures to illustrate these differences e.g., "Expert A values X at £45,000; Expert B values it at £30,000; the difference of £15,000 is due to Y." This kind of comparison simplifies the task of understanding the real points of contention.

7. Keep it neutral — not adversarial

I think experts help adjudicators most when they stay impartial. Advocating for one side or attacking the opposing expert never usually ends well and tends to backfire. After all, you were hired for your expertise, not your loyalty. Adjudicators tend to be quick to detect bias, and it can damage your credibility fast. Don't forget, an expert's duty is to the adjudicator, not the party who instructed you, so present facts and opinions even if they don't favour your client. Biased experts are easy to discredit, while neutral ones enhance their persuasiveness.

8. Provide clear source reference

A strong opinion is only as good as the evidence behind it and adjudicators need to know where the expert's analysis comes from and how to verify it. The opinion should therefore be supported with solid evidence and be easy to find. Nothing undermines expert evidence like outdated information, lack of transparency in methodology or data dumps which adjudicators are expected to wade through when they're already under enormous time pressure. Whether you're relying on documents, drawings, site photos, or correspondence, reference them properly and include them in appendices or as separate exhibits. Equally, if you've carried out a detailed analysis (e.g., measurements, delay calculations, rates), include this in a supporting document and refer to it in your main report. Don't forget, materials aren't always self-explanatory and should show how they link to your conclusions, and the easier it is to verify your opinion, the more persuasive it becomes.

Conclusion - Be the expert they want to hear from

I have it on good authority that adjudicators want expert evidence that's focused, well-explained, and well-supported. If you help them understand the issues clearly and avoid the common traps, you'll be seen as a valuable contributor, not just another name in the bundle.

In my experience, adjudicators are smart people, but they may not always be specialists in your field. So, as experts, we are not just information providers; we are interpreters of complex reality for adjudicators who must make fair and informed decisions. So always be open about your sources, assumptions, and limitations.

At the end of the day, experts need to help adjudicators understand. I'm not suggesting the report needs to be "dumbed down," but if you can explain and demonstrate your expertise in a way that helps the adjudicator make sense of it all, you've done your job right. If you can stay clear, impartial, and respectful — you'll not only avoid annoying the adjudicator... you'll likely earn their trust and attention. Just whatever you do, don't forget to use the spellcheck



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