

MCMS turns 30: Reflections on Construction Adjudication

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Cast your minds back 30 years to 1996. England hosted the *Euros*, Oasis played Knebworth, the Spice Girls released *Wannabe*, Dolly the sheep was born, DVDs first went on sale in Japan and, of course, the *Housing Grants, Construction and Regeneration Act 1996* received Royal Assent, laying the statutory foundations for construction adjudication in Great Britain. 1996 was also the year that MCMS was founded.

Over the last three decades, we've had the privilege of working at the heart of construction dispute resolution, helping to shape the industry, and construction adjudication in particular, alongside so many of the UK's leading judges, lawyers, experts and fellow dispute resolvers. For many of those years, we've also written regularly about adjudication, perhaps most notably through our bi-weekly "MCMS Blog", originally published by Thomson Reuters and more recently on our [MCMS website](#).

To mark 30 years of MCMS and coinciding, rather conveniently, with almost 30 years of statutory adjudication, we've brought together a selection of around 130 of those blogs in a new book: *Reflections on Construction Adjudication*.

A record of a changing landscape

The book of previously published blogs is a different proposition from our earlier *Adjudicating Construction & Engineering Disputes*. Whereas that was written as a practical, cradle-to-grave guide to the adjudication process, this is something of a contemporaneous record of the law and practice of adjudication as it's developed around us. The blogs are organised thematically into chapters covering the key areas of adjudication law and practice, from the Construction Act and the Scheme through to payment, procedure, jurisdiction, natural justice, enforcement and developments in Ireland.

We've deliberately retained the blogs' original style and character because they capture our reactions to developments as they happened, revisiting many of the key cases, legislative changes, practical issues and occasional controversies through the lens of our experience as practising adjudicators. In short, our focus has never been simply on what the courts decided, but on what those decisions mean in practice for adjudicators, parties and their advisers.

Thirty years on

When MCMS was founded, most of us were only just getting to grips with the internet, LinkedIn was still years away and AI belonged firmly in the realm of science fiction rather than everyday working life. While so much has changed since 1996, our fascination with how construction disputes are

resolved, and our enthusiasm for adjudication in particular, has remained remarkably constant. What began as a new statutory mechanism intended to provide a rapid means of resolving construction disputes has become an established and indispensable part of the industry. As one of the blogs in the book recalls the words of Coulson LJ back in 2021: *for most construction disputes, adjudication is “the only game in town”*. The law has continued to develop, technology and industry practice have evolved, and new issues have inevitably emerged, but those words ring just as true today (while providing us with no shortage of things to write about!)

Looking back through these pieces has reminded us not only just how much has happened, but also of the many people we’ve had the good fortune to have alongside us on that journey, several of whom have contributed, directly or indirectly, to the discussions and experiences behind these blogs. We hope the book will be useful to those practising in construction adjudication today who want not only to understand how adjudication has developed, but also to explore some of the issues and recurring challenges that have helped shape it. We also hope it will be enjoyable simply to dip into: to revisit a familiar case, find a practical perspective on a particular issue, or see just how far adjudication has come since those early days.

For us both, putting the collection together has been a heart-warming trip down memory lane, and if the next 30 years of adjudication are anything like the first, there should be plenty more to write about

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