Bond Solon

The Law Society Gazette

The Bond Solon Expert Witness Survey 2026

In association with The Law Society Gazette

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Introduction

Bond Solon is delighted to publish this year's expert witness survey in collaboration with the Law Society Gazette. It was conducted online from 2 September 2026 to 25 September 2026, and 555 experts contributed.

The Law Society Gazette is a weekly legal magazine for solicitors in England and Wales, published by the Law Society of England and Wales. The Gazette publishes live online news, a daily news update and a weekly digital magazine, all of which are free to read for both members and other stakeholders. ABC-audited lawgazette.co.uk has 418,000 unique monthly browsers.

This year's survey explores a range of issues impacting the expert witness profession over the last 12 months including, the opportunities and risks presented by AI, pressures on fees, costs and commercial viability, relationships with instructing parties and the impact of increasing scrutiny of expert evidence.

Some of the responses are set out in a graph format whereas others have additional detailed commentary.

The survey was published the day of the Bond Solon expert witness conference on Friday 6 November 2026.

I hope you find the results of interest and do feel free to email me if you have any further thoughts.

Mark Solon



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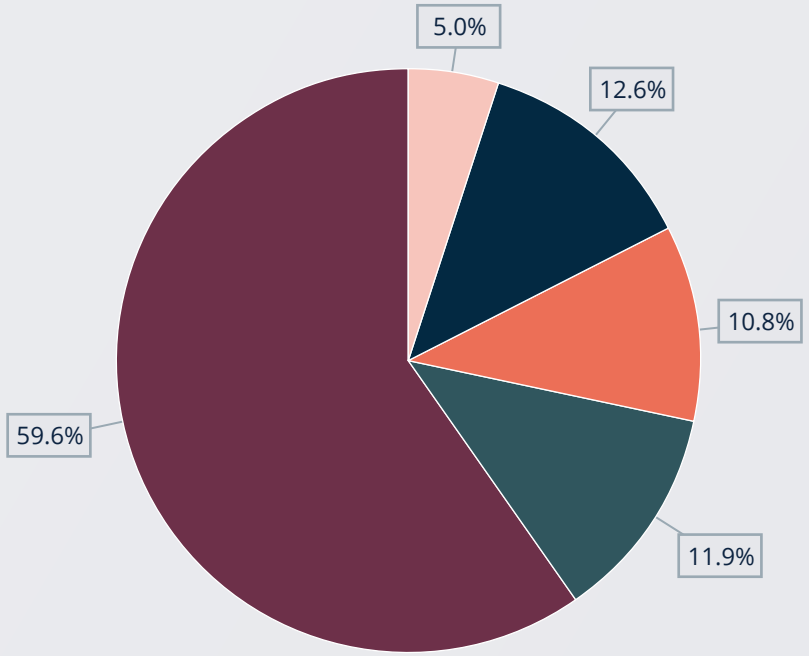


Expert Witness Survey 2026 Results

Question 01

How many years have you practised as an expert witness?*

Less than a year	28
1-3 years	70
3-6 years	60
6-10 years	66
10+ years	331

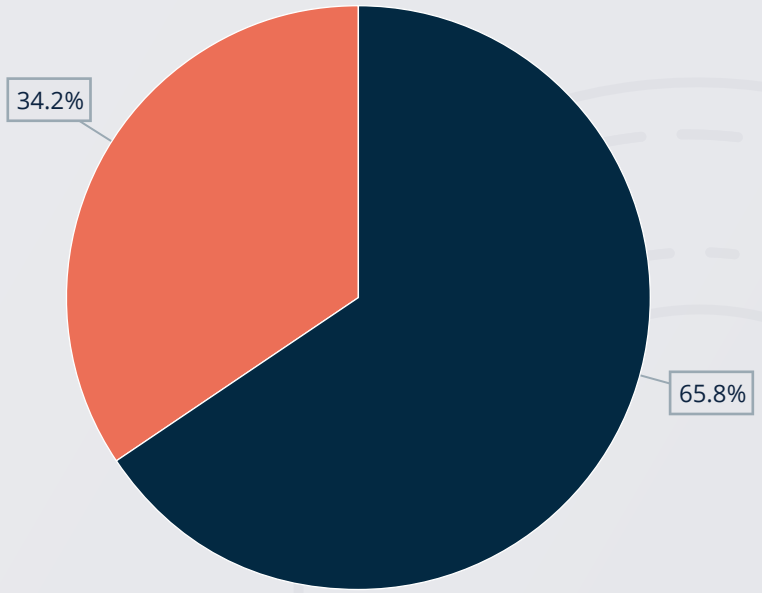


*The totals for this question have been rounded up to the nearest percentage decimal place.

Question 02

Do you work in the medical/healthcare field?

Yes	365
No	190



Question 03

From the list below, please select the option that best describes your area of specialism*

Label	Specialism	Poll
1	Assistive technology	3
2	Chiropody and podiatry	3
3	Cosmetic, dermatology, hair	6
4	Ear, nose, throat	2
5	Emergency medicine and anaesthesia	17
6	Eyes	8
7	Forensic medicine	6
8	Gastrointestinal and urinary	8
9	General medicine / surgery	22
10	GP	12
11	Heart and lungs (cardiothoracic)	10
12	Immunology, diabetes, hormones	0
13	Neurology	10

Label	Specialism	Poll
14	Nursing / midwifery	20
15	Obstetrics, gynaecology and fertility	8
16	Occupational health	1
17	Occupational therapy	13
18	Oncology and treatment	3
19	Oral / dental	21
20	Orthopaedics / trauma	31
21	Paediatrics	16
22	Pathology and scanning	4
23	Psychiatry	32
24	Psychology	42
25	Speech and language therapy	6
26	Other	61



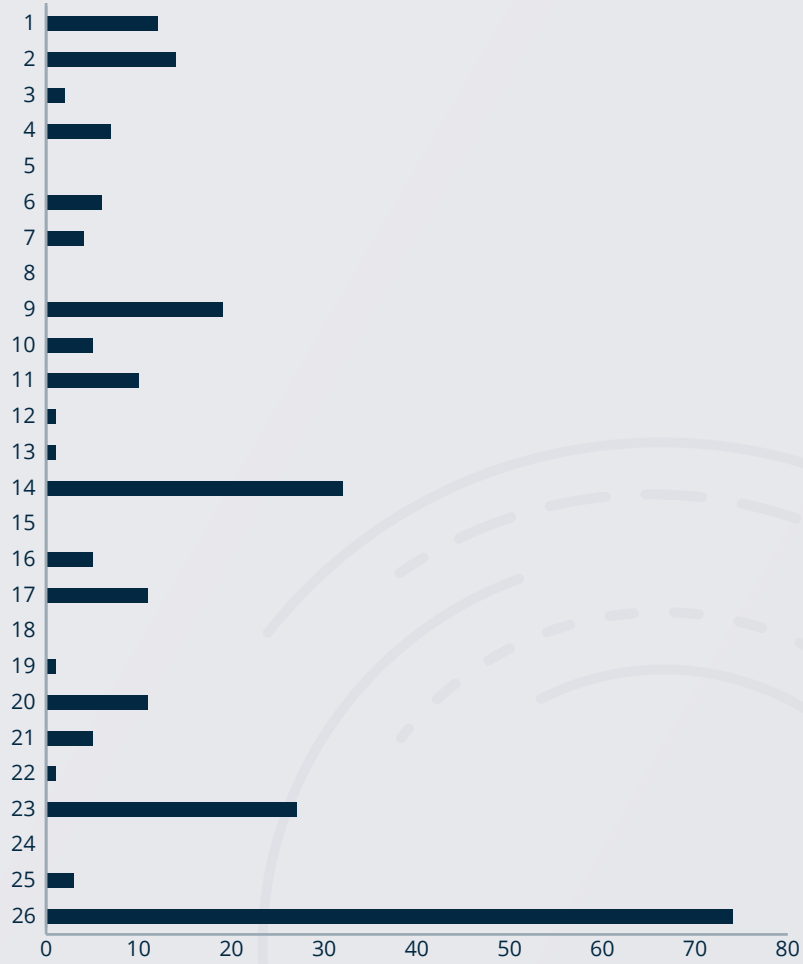
*Medical experts only

Question 04

From the list below, please select the option that best describes your area of specialism (non-medical experts only)

Label	Specialism	Poll
1	Accident / incident investigation	12
2	Accountancy	14
3	Agricultural	2
4	Animals	7
5	Anthropology / cultural / religion	0
6	Architectural	6
7	Computing / technology	4
8	Economist	0
9	Engineering	19
10	Environmental	5
11	Financial	10
12	Fire	1
13	Fraud / theft	1

Label	Specialism	Poll
14	Health / safety / occupational	32
15	International law	0
16	Insurance	5
17	Marine	11
18	Noise / vibration	0
19	Planning	1
20	Science / forensics	11
21	Social care	5
22	Sport	1
23	Surveying / building	27
24	Translation / interpretation	0
25	Use of force	3
26	Other	74



Question 05

Commentary in relation to Questions 2, 3 and 4

The analysis has highlighted some discrepancy in the responses to Questions 2 and 4, which should be noted. While Q2 identified 190 non-medical experts, 251 respondents selected a non-medical specialism in Q4.

Several respondents selected “Other” despite their area of expertise appearing within the predefined list of options. These included respondents working in disciplines such as finance, marine and social care, as well as some respondents from recognised medical specialisms, such as surgery. As a result, the totals reported for some disciplines may under-represent the true number of experts working in those fields.

The responses also highlighted several areas of expertise that were not included within the original list of options. Regulation and governance was particularly well represented, with eight respondents identifying this as their specialist area.

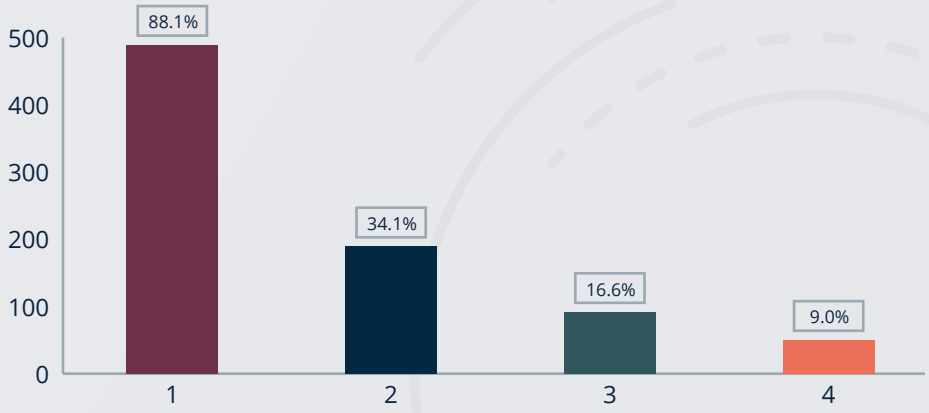
Other notable specialist areas included crude oil, gas and commodities (five respondents), coroners’ court work (ten respondents), employment-related expertise (six respondents) and clinical negligence and personal injury work (eight respondents).

These responses demonstrate the breadth of expertise represented within the survey and highlight the diversity of professional backgrounds involved in expert witness work.

Question 06

What legal forum(s) do you operate in?*

Label	Response	Poll
1	Civil	489
2	Criminal	189
3	Family	92
4	Other	50

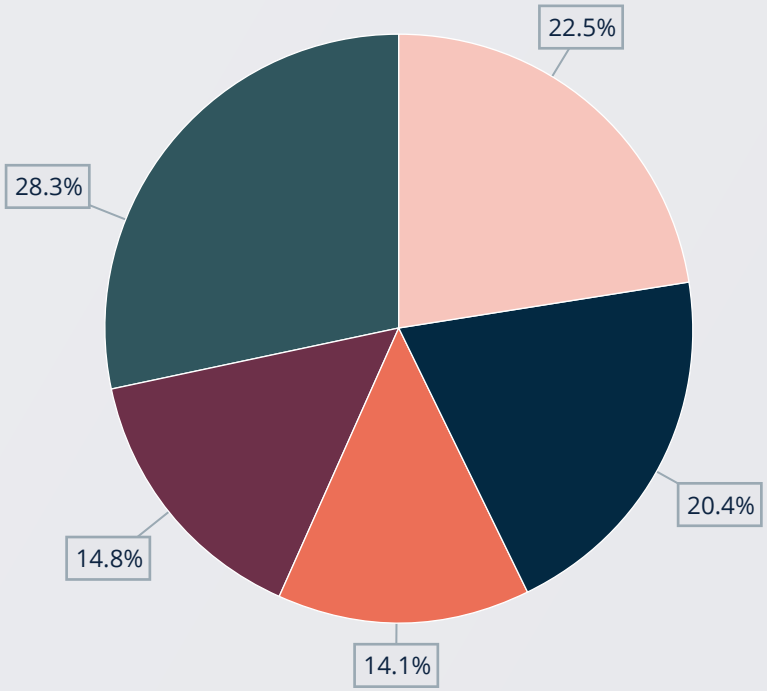


*Respondents could select multiple options. Percentages therefore represent the proportion of surveyed respondents who selected each option and will total more than 100 per cent.

Question 07

Approximately what proportion of your professional income derives from expert witness work?*

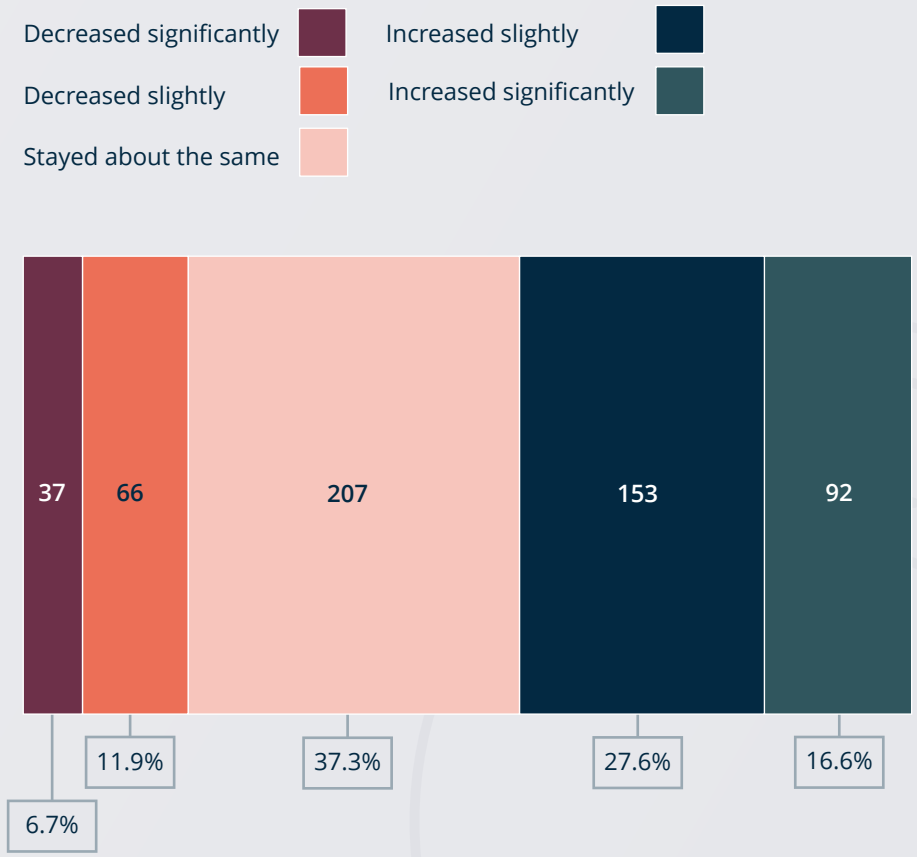
Less than 10%	125
10–25%	113
26–50%	78
51–75%	82
More than 75%	157



*The totals for this question have been rounded up to the nearest percentage decimal place.

Question 08

Compared with 12 months ago, has the number of expert witness instructions you receive:*

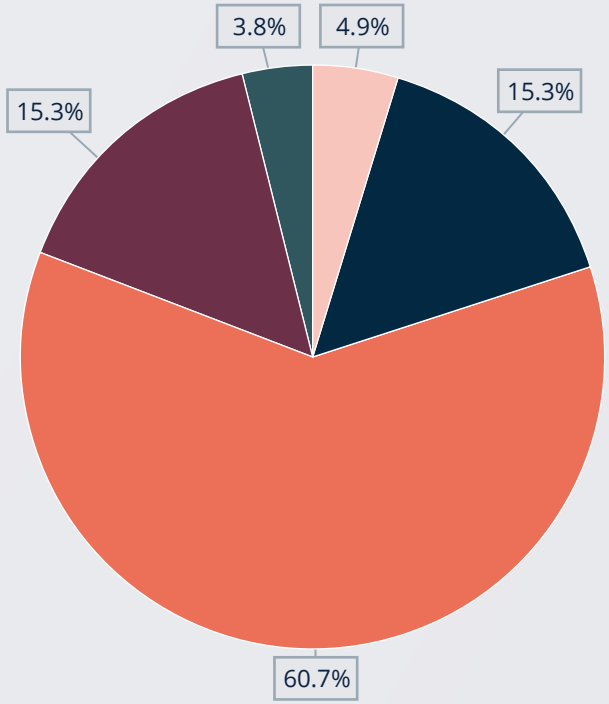


*The totals for this question have been rounded up to the nearest percentage decimal place.

Question 09

Do you consider expert witness work to be more or less commercially viable than it was twelve months ago?

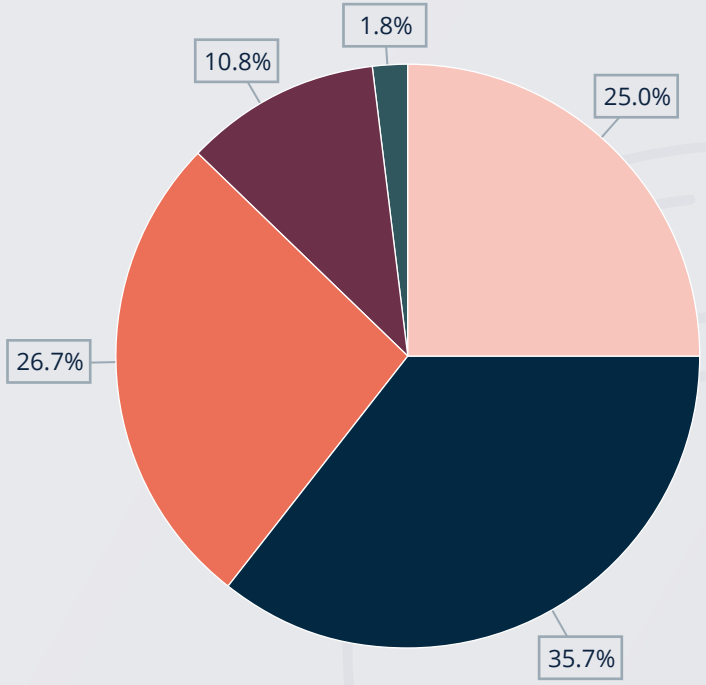
Much more viable	27
Somewhat more viable	85
About the same	337
Somewhat less viable	85
Much less viable	21



Question 10

How confident are you about the future of your expert witness work over the next three years?

Very confident	139
Somewhat confident	198
Neutral	148
Somewhat concerned	60
Very concerned	10



Question 11

Commentary in relation to Questions 8, 9 and 10

Responses regarding workload and commercial viability present a mixed picture of the current expert witness market.

Just over half of respondents (56 per cent) reported that the number of instructions they received had either remained unchanged or decreased during the previous 12 months. By comparison, 44 per cent reported an increase in instructions, including 17 per cent who experienced a significant increase and 28 per cent who reported a slight increase.

Similarly, 61 per cent of respondents stated that expert witness work was as commercially viable as it had been 12 months earlier. While 20 per cent believed the work had become more commercially viable, 19 per cent considered it to be less viable.

Respondents identified a range of factors influencing their perceptions of the market. Financial concerns featured prominently, particularly pressure on fees, delays in payment and the impact of agency fee structures. Some respondents noted that rising operating costs and broader economic pressures were affecting the sustainability of expert witness work.

Artificial intelligence also emerged as a recurring theme. Respondents expressed a range of views regarding its potential impact, including concerns about changing client expectations, the integrity of expert evidence and the possibility that certain aspects of expert work may become increasingly automated in the future.

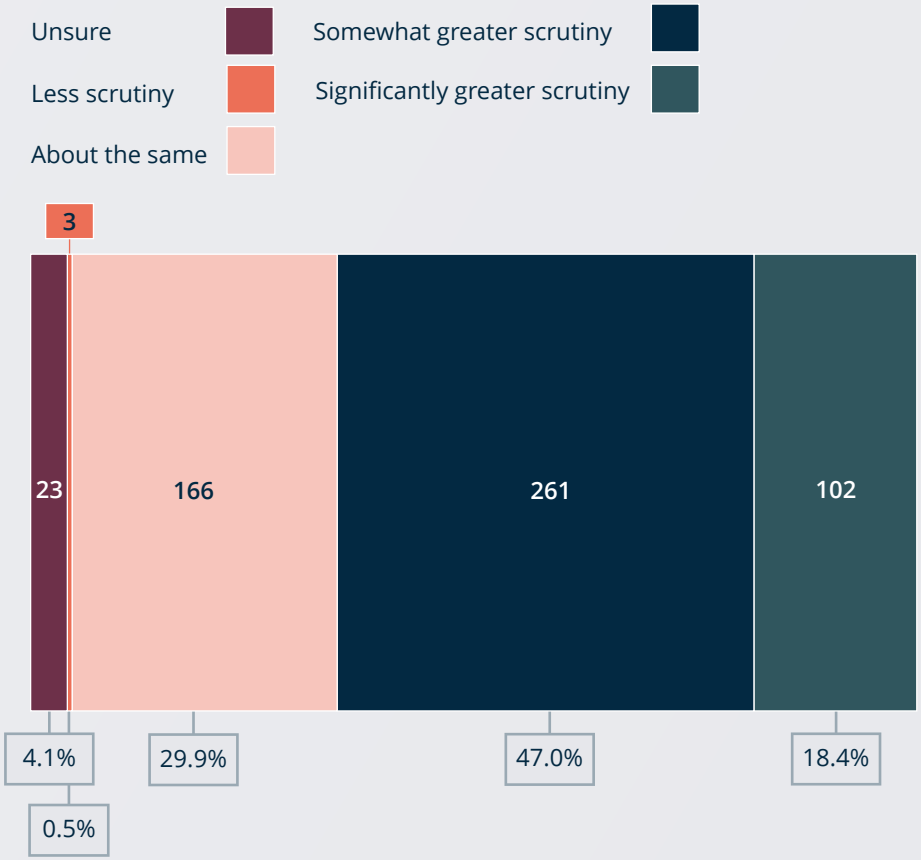
Several respondents also referred to the role of an expert witness becoming increasingly complex, rising competition for instructions and growing demands from instructing solicitors.

Comments relating to the working environment reflected a perception among some respondents that expert witness work has become more challenging, citing increased scrutiny, higher expectations and more adversarial interactions. Commenting on the atmosphere of expert witness work, one respondent said, “The witch hunt continues where minor errors become career ending events” while others remarked on an increasingly “hostile” and “stressful” environment for experts, as well as “aggressive” solicitors.

While experiences varied considerably, the responses suggest that commercial, technological and procedural pressures continue to shape perceptions of the profession’s future.

Question 12

Do you believe expert witnesses face greater scrutiny than they did 12 months ago?*

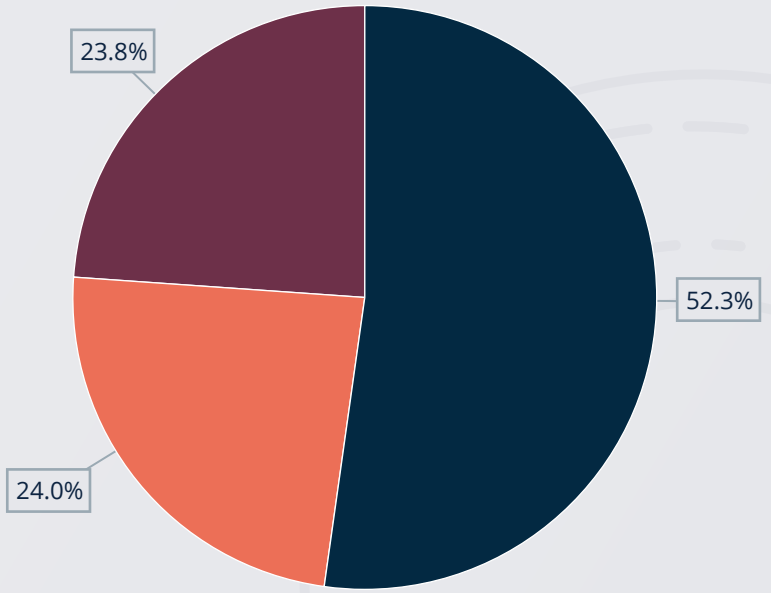


*The totals for this question have been rounded up to the nearest percentage decimal place.

Question 13

Do you support mandatory accreditation for expert witnesses?*



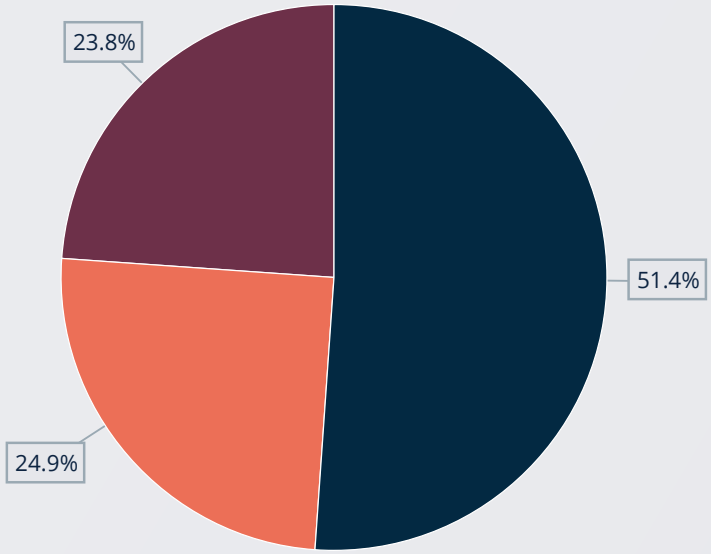


*The totals for this question have been rounded up to the nearest percentage decimal place.

Question 14

Do you support formal regulation of expert witnesses?*

Yes	285
No	138
Unsure	132



*The totals for this question have been rounded up to the nearest percentage decimal place.

Question 15

Commentary in relation to Questions 13 and 14

Many respondents indicated that peer review processes and report auditing could play a valuable role in maintaining professional standards among expert witnesses.

More than half of respondents also expressed support for some form of mandatory accreditation, regulation or professional oversight. Supporters generally believed that accreditation could help improve consistency, enhance accountability and provide greater assurance regarding the competence and experience of expert witnesses.

A recurring theme among respondents was the desire to distinguish suitably qualified experts from individuals perceived as lacking appropriate expertise or experience. Some respondents suggested that formal accreditation could strengthen confidence in expert evidence by promoting recognised standards and professional accountability.

At the same time, respondents raised concerns about the potential unintended consequences of increased regulation. Several noted that overly burdensome requirements could discourage participation, particularly within highly specialised or niche fields where experts may undertake relatively small volumes of expert witness work.

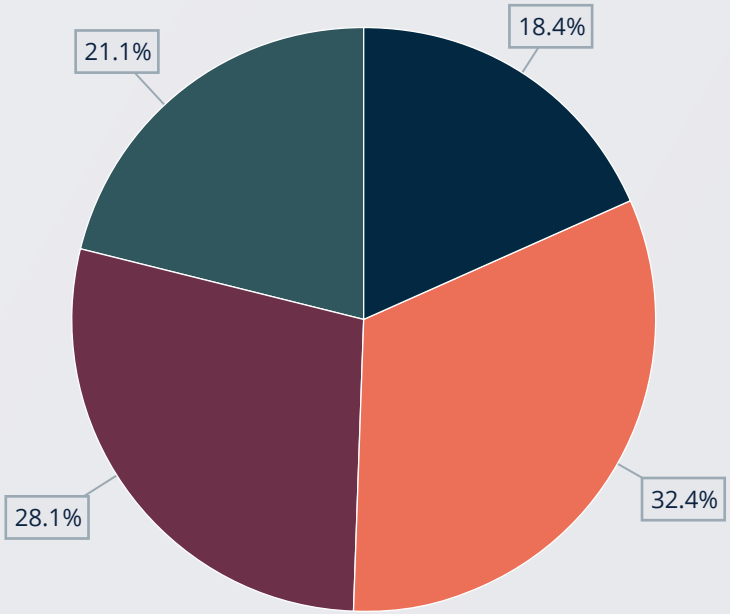
Respondents also highlighted the challenges associated with developing accreditation frameworks that are sufficiently flexible to accommodate the diverse range of disciplines represented within expert witness practice.

Overall, the findings suggest broad support for measures that promote quality and consistency, although there remains considerable debate regarding how any accreditation or regulatory framework should be designed and implemented.

Question 16

In some areas of expert evidence, statistical concepts and methods may play an important role. Do you think, overall, that experts have a solid enough understanding of statistical concepts and how statistics should be used in their evidence?

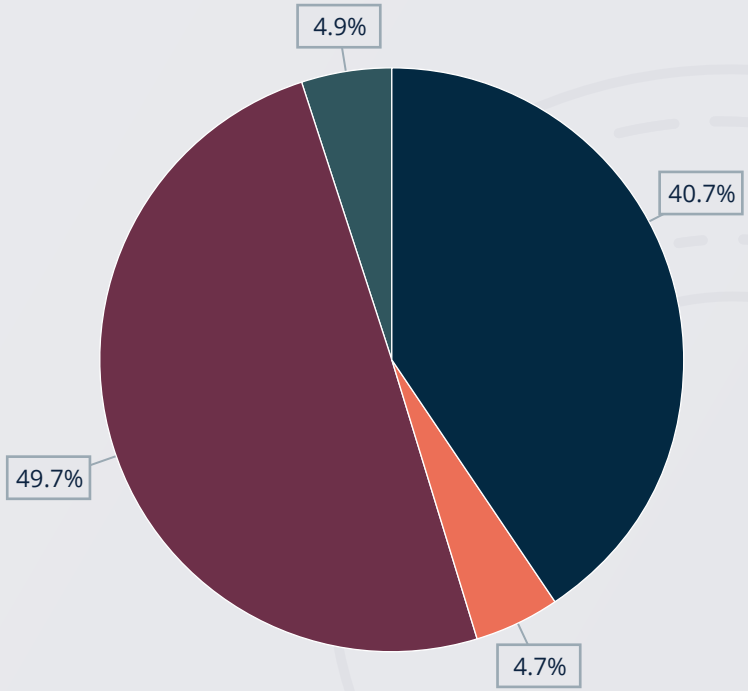
Yes	102
No	180
Unsure	156
Not applicable to my field	117



Question 17

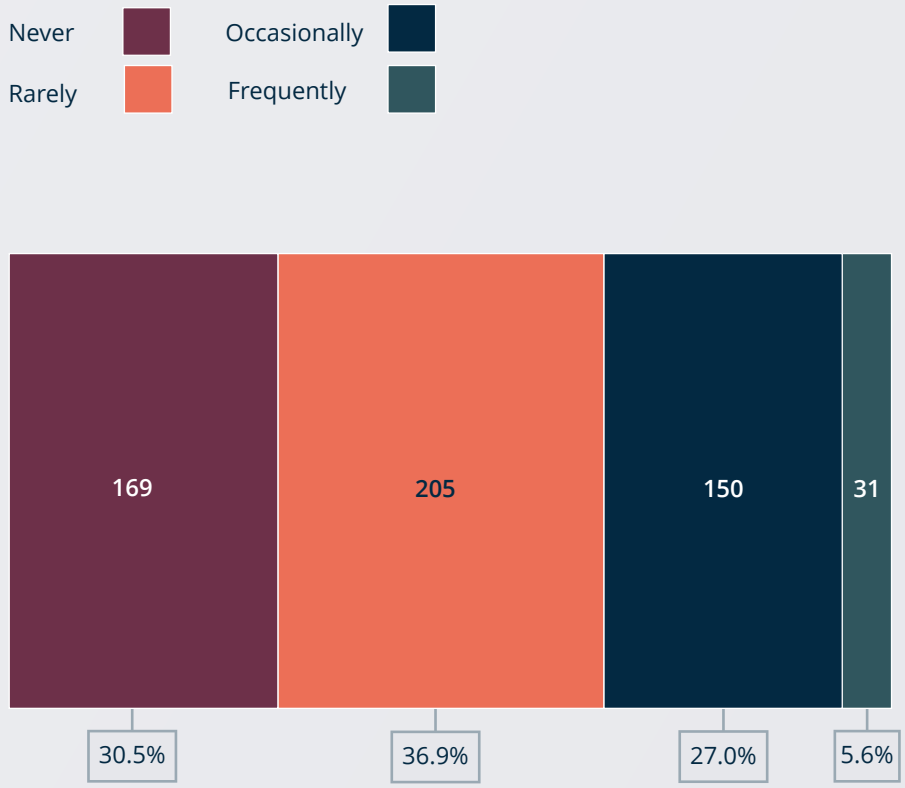
Do you think expert witnesses should receive training in the use and interpretation of statistical evidence where statistics are relevant to their field of practice?

Yes	226
No	26
Only in relevant disciplines	276
Unsure	27



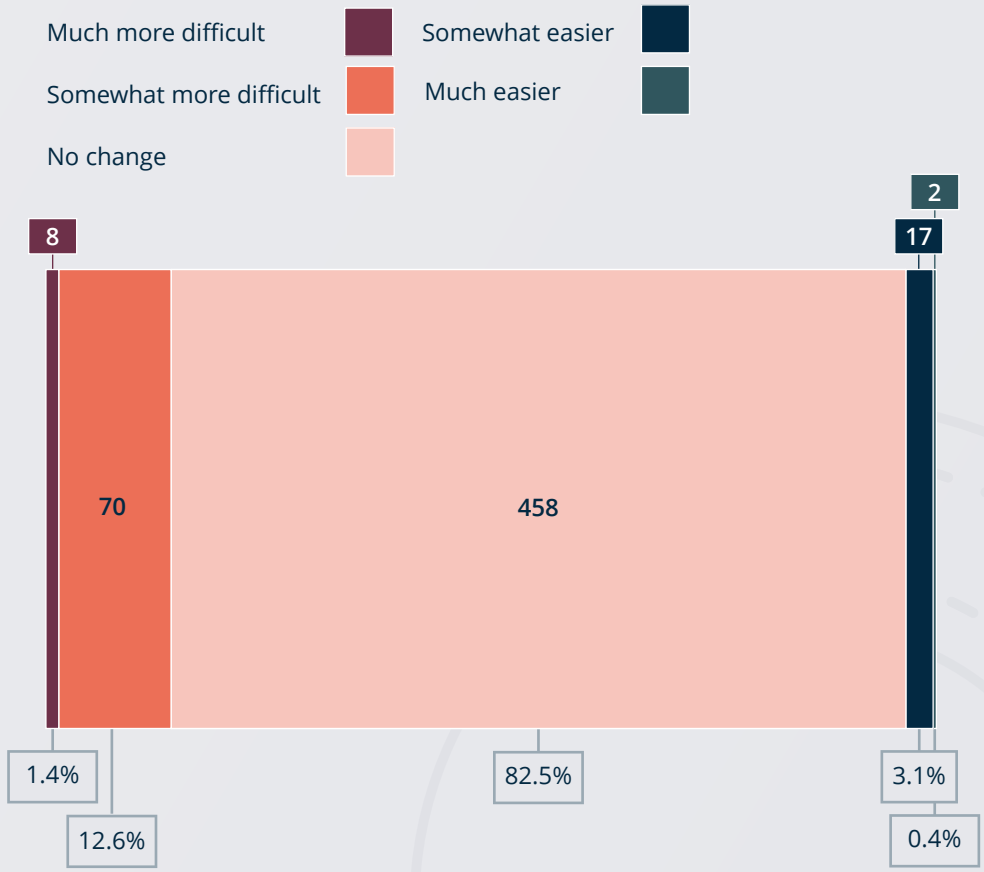
Question 18

How often have you felt pressure from an instructing party to modify your opinion in the past 12 months?



Question 19

Compared with 12 months ago, do you believe maintaining independence has become:



Question 20

Commentary in relation to Questions 16, 17, 18 and 19

Respondents were divided on whether experts possess a sufficient understanding of statistical concepts.

18 per cent believed that experts generally have an adequate grasp of statistics, while 32 per cent felt they do not. A further 28 per cent were unsure, and 21 per cent considered the issue not applicable to their area of expertise.

Views on training broadly reflected these findings. 41 per cent of respondents believed additional training in statistical evidence would be beneficial, while approximately half considered it relevant only within certain disciplines.

Although relatively few respondents provided additional comments regarding statistical evidence, many took the opportunity to discuss another issue raised in the survey: pressure from instructing parties to change expert opinion.

Only 30 per cent of respondents stated that they had never encountered this type of pressure. While many respondents distinguished between legitimate requests for clarification and attempts to alter substantive opinions, a number reported experiencing pressure which they felt was intended to support a particular litigation position.

Several respondents observed that experience and confidence can make it easier to resist inappropriate influence. Others referred to requests to increase or amend recommendations in ways that might favour one party's case, particularly in litigation involving conditional fee arrangements.

Common themes emerging from the comments included:

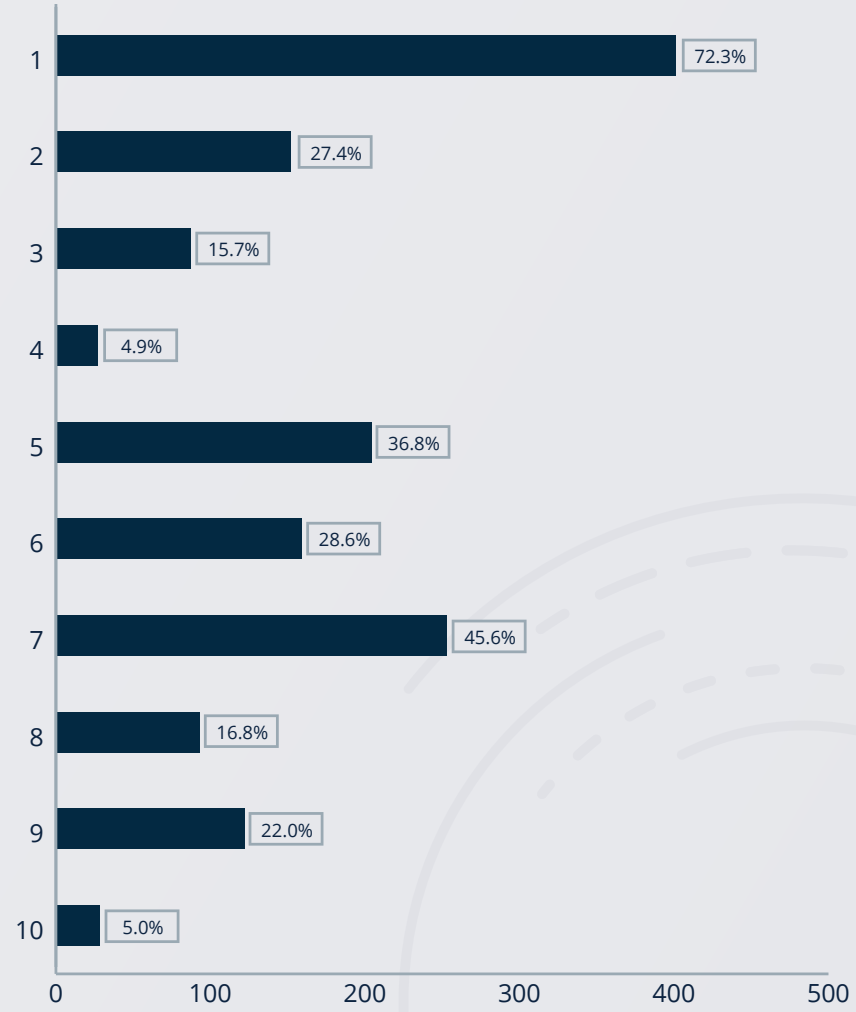
- Pressure disguised as requests for clarification.
- Ongoing revisions to reports after submission.
- Instructions that appeared designed to shape or influence opinions.
- Decisions to decline work where the desired outcome appeared predetermined.

Taken together, these responses highlight the importance that respondents place on maintaining independence and resisting external pressures that may compromise objective expert evidence.

Question 21

Which of the following most threatens expert witness credibility? (Select up to three)*

Label	Response	Poll
1	Inadequate experience and qualifications	401
2	Intransigence	152
3	Lack of professional regulation	87
4	Media scrutiny	27
5	Perceived bias	204
6	Poor quality letters of instructions	159
7	Poor report writing	253
8	Unrealistic deadlines	93
9	Use of AI	122
10	Other	28



*Respondents could select multiple options. Percentages therefore represent the proportion of surveyed respondents who selected each option and will total more than 100 per cent.

Question 22

Commentary in relation to Question 21

Many of the comments provided in response to this question centred on concerns regarding the expertise, qualifications and experience of individuals undertaking expert witness work.

This aligns closely with the broader survey findings, where 72.3 per cent of surveyed respondents identified inadequate experience or qualifications as the greatest threat to the credibility of expert evidence.

Several respondents suggested that insufficient experience, weak professional standards or inadequate regulation may contribute to concerns about the quality and reliability of expert evidence. Others expressed concern about experts advancing opinions that are not adequately supported by evidence or established professional knowledge.

Respondents also highlighted practical challenges associated with modern casework, including increasing administrative burdens and the management of large volumes of electronic documentation. Some noted that poor organisation of records can make it more difficult for experts to review material efficiently and identify relevant information.

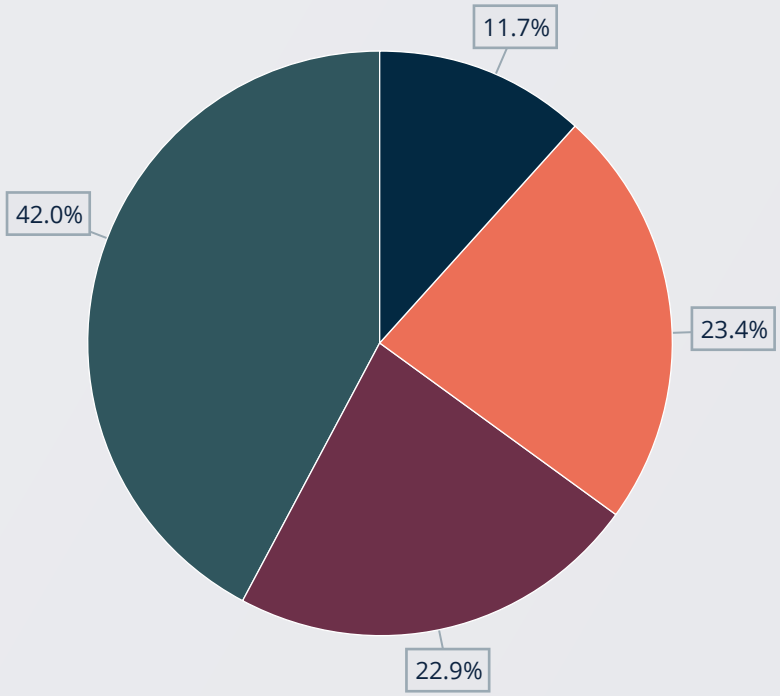
Financial pressures also emerged as a recurring theme. Several respondents cited fee levels, agency deductions and broader economic pressures as factors that could discourage experienced professionals from undertaking expert witness work, particularly in certain areas of practice.

Overall, the responses reinforce several themes that appear throughout this year's survey: concerns regarding standards and competence, pressures on fees and profitability, increasing administrative demands and the need to maintain confidence in the quality of expert evidence.

Question 23

Have you used AI tools in any aspect of your expert witness work?

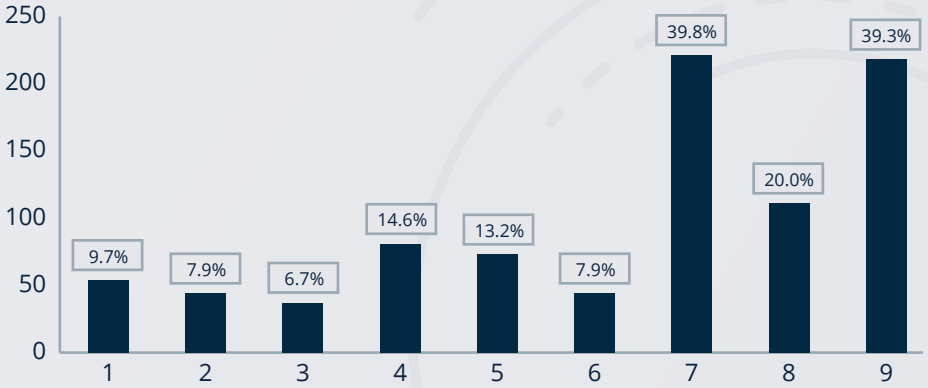
Regularly	65
Occasionally	130
Experimented only	127
Never	233



Question 24

For which activities have you used AI? (Select all that apply)*

Label	Response	Poll
1	Data analysis	54
2	Chronology production	44
3	Drafting reports	37
4	Checking reports	81
5	Summarising documents	73
6	Documents/records review	44
7	Research	221
8	Administrative tasks	111
9	Other	218



*Respondents could select multiple options. Percentages therefore represent the proportion of surveyed respondents who selected each option and will total more than 100 per cent.

Question 25

Commentary in relation to Questions 23 and 24

AI adoption among expert witnesses appears to have increased significantly over the last 12 months. In last year's survey, only 20 per cent of respondents reported using AI in their expert witness work. This year's results suggest that AI is now being used across a broad range of activities, with 12 per cent of respondents using AI regularly and 23 per cent using AI occasionally in expert witness work.

Research is the most common application, with 40 per cent of surveyed respondents reporting that they use AI for this purpose. Administrative tasks were selected by 20 per cent of surveyed respondents, while other reported uses include checking reports (15 per cent), summarising documents (13 per cent) and data analysis (10 per cent).

Respondents also identified a range of additional uses, including:

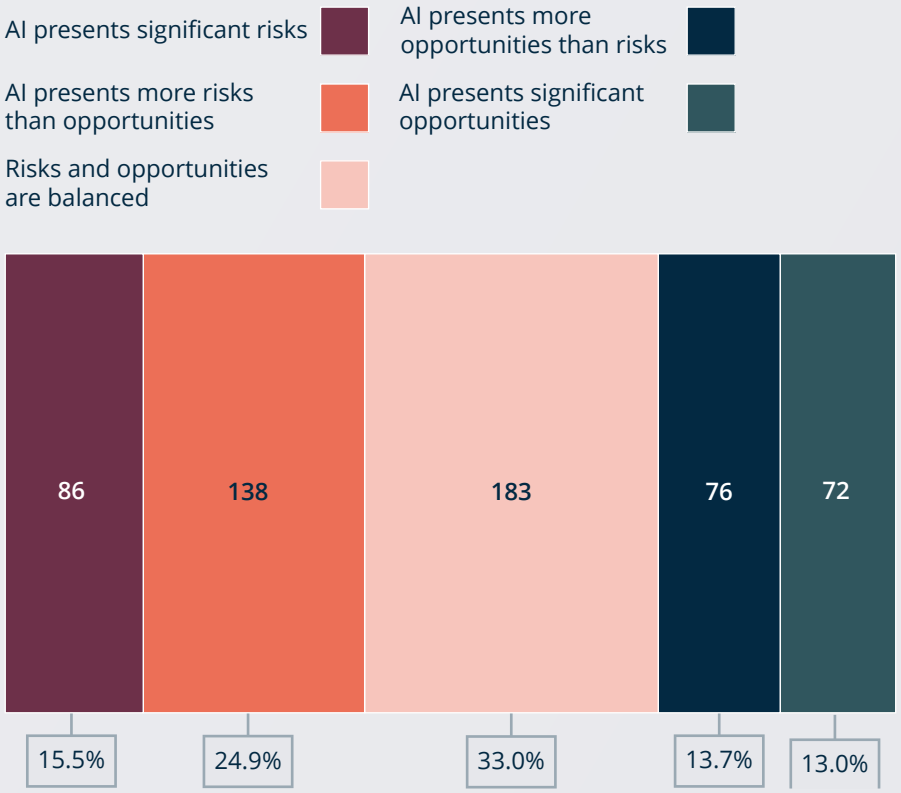
- Rephrasing emails.
- Proofreading.
- Transcription.
- Ensuring instructions have been fully addressed.
- Creating and organising references.

The results suggest that experts are currently more comfortable using AI to support administrative and information-processing tasks than for core expert witness functions. While 7 per cent of respondents reported using AI to assist with drafting reports, this remains one of the less common applications, indicating continued caution around the use of AI in forming and presenting expert opinion.

Question 26

Which statement best reflects your view?*

Responses indicate that experts hold mixed views regarding the balance between the risks and opportunities presented by AI. One-third (33 per cent) of respondents believe the risks and opportunities are broadly balanced, while 25 per cent believe the risks outweigh the opportunities and 15 per cent consider AI to pose significant risks.

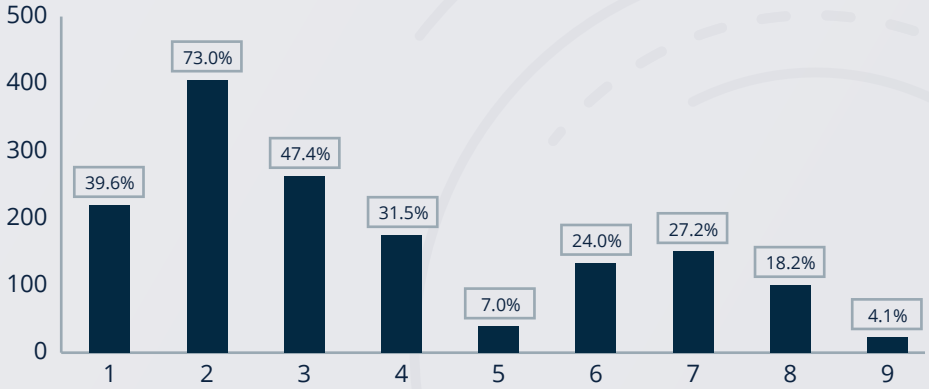


*The totals for this question have been rounded up to the nearest percentage decimal place.

Question 27

What concerns you most about AI in expert evidence?**

Label	Response	Poll
1	Hallucinated / bias outputs	220
2	Over-reliance on AI at the expense of professional judgment	405
3	Experts using AI to draft reports rather than for checking purposes	263
4	AI being used to check large volumes of materials (e.g. medical records) and doing so incorrectly	175
5	Lack of parity between different AI systems in terms of their capabilities and outputs	39
6	Lack of clear guidance and regulation	133
7	Confidentiality and data security risks	151
8	Reduced trust in experts	101
9	Other	23



**Respondents could select multiple options. Percentages therefore represent the proportion of surveyed respondents who selected each option and will total more than 100 per cent.

Question 28

Commentary in relation to Question 27

The most commonly cited concern is the potential for over-reliance on AI at the expense of professional judgment, selected by 73 per cent of surveyed respondents. Other frequently identified concerns include the use of AI to draft reports (47 per cent) and the risk of inaccurate, biased or “hallucinated” outputs (40 per cent).

The findings suggest that experts are less concerned about the technology itself than its potential impact on independence, objectivity and professional decision-making. These concerns align closely with the core responsibilities of expert witnesses, whose duty is to provide impartial and evidence-based opinions within their area of expertise.

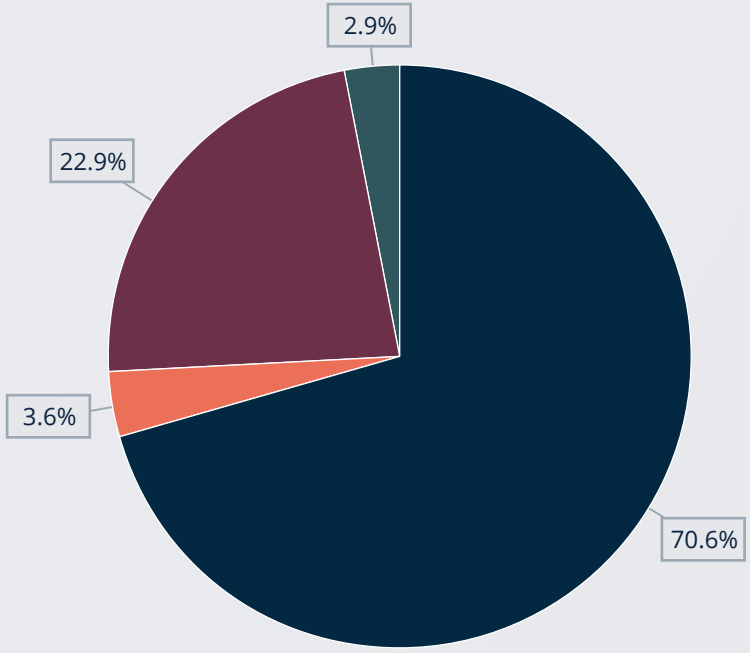
Several respondents expanded on these concerns, particularly in relation to cognitive bias, confidentiality, data security and a lack of understanding about how AI systems generate outputs. Others highlighted concerns about the increasing use of proprietary AI systems by large organisations and the challenges of regulating rapidly evolving technologies.

A recurring theme across the responses was that AI should remain a tool to support expert analysis rather than replace independent professional judgment.

Question 29

The Civil Justice Council has produced interim findings pending their final report on the use of AI in legal proceedings. One of their key interim findings states that experts should be required to disclose the use of AI in preparing reports. Do you agree?

Yes	392
No	20
Depends on the level of use	127
Unsure	16



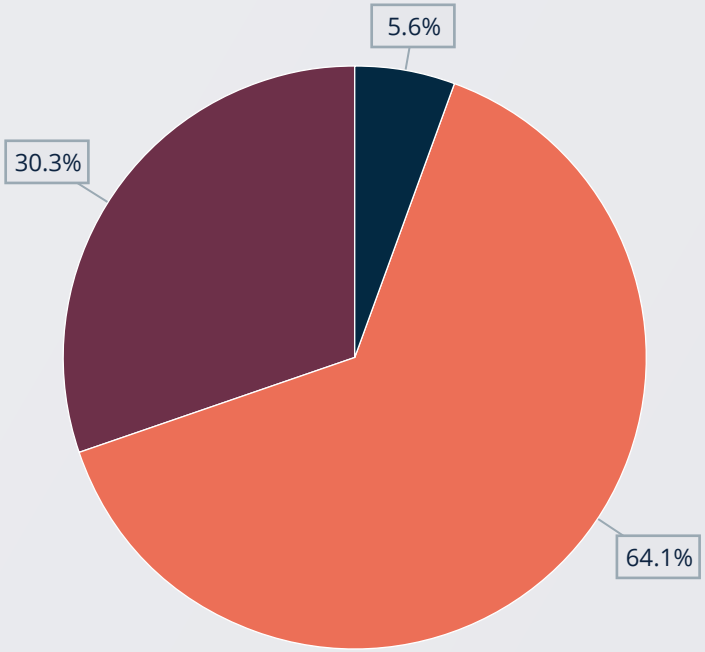
A substantial majority of respondents (71 per cent) agreed with the Civil Justice Council's (CJC) interim recommendation that experts should disclose the use of AI in preparing reports.

Taken together, the results suggest an emerging consensus around the principle of transparency, although there remains considerable uncertainty regarding how any disclosure requirement should operate in practice. It will be interesting to see how much guidance the CJC provide in their final report with regards to the level of detail experts need to go into in their disclosure and whether they provide a non-exhaustive list of permitted uses.

Question 30

Is there adequate regulation and guidance on the use of AI by expert witnesses?

Yes	31
No	356
Unsure	168



Question 31

Commentary in relation to Questions 29 and 30

Only 6 per cent of respondents believe there is currently adequate regulation and guidance governing the use of AI by expert witnesses, compared with 11 per cent in last year's survey.

This decline may reflect the increasing prevalence of AI tools and growing awareness of the challenges they present. Respondents frequently cited the need for clearer guidance on areas such as confidentiality, verification of AI-generated content, disclosure obligations and the limits of appropriate reliance on AI systems.

While there was broad support for increased clarity, opinions differed regarding the best approach. Some respondents favoured greater regulation and formal disclosure requirements, whereas others argued that AI should be viewed similarly to other professional tools, with the focus remaining on the expert's ultimate responsibility for the accuracy and independence of their evidence.

Question 32

What is your average hourly rate for expert witness work?*

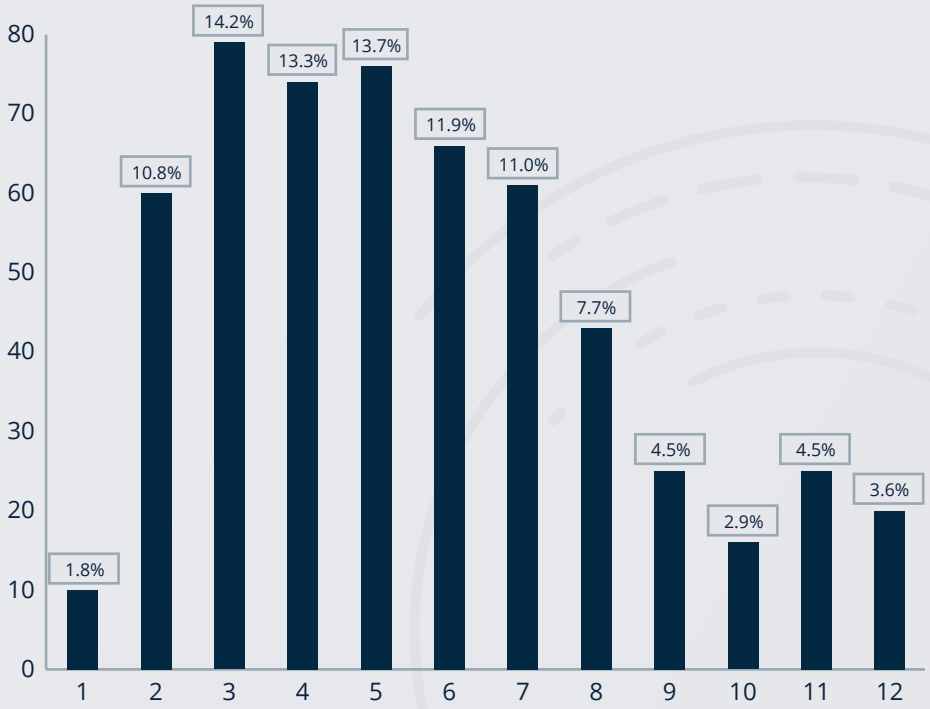
Label	Response	Poll
1	£0-50	10
2	£51-100	60
3	£101-150	79
4	£151-200	74
5	£201-250	76
6	£251-300	66
7	£301-350	61
8	£351-400	43
9	£401-450	25
10	£451-500	16
11	£501+	25
12	Fixed fee	20

The most commonly reported hourly charging band among survey respondents was £101-150, closely followed by £201-250.

For comparison, last year's survey recorded an average hourly rate of £238.81, representing a 25 per cent increase on the equivalent figure published in the 2015 survey.*

While the results provide an indication of prevailing charging rates, further analysis by specialism, experience level and court jurisdiction may reveal significant variations across different categories of expert witness.

*Please note that these comparisons are not based on a like-for-like group of respondents and should therefore be interpreted with caution.



*The totals for this question have been rounded up to the nearest percentage decimal place.

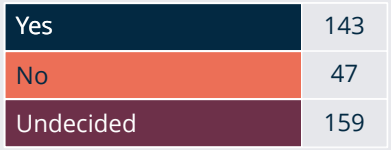
Question 33

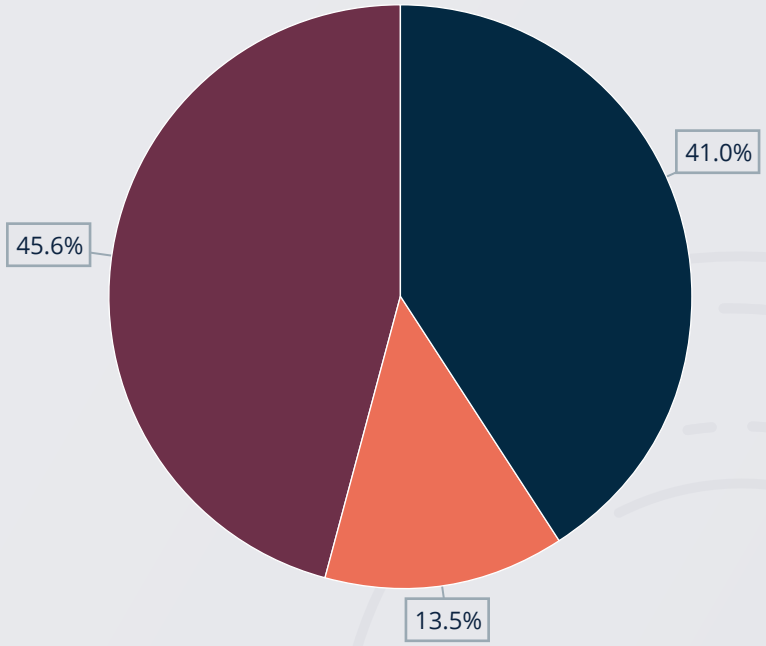
Do you think fees charged by medical reporting organisations should be subject to a recoverable costs cap?*

Following the recent *JXX v Archibald* judgment, medical experts were asked whether fees charged by medical reporting organisations (MROs) should be subject to a recoverable costs cap.

Responses were relatively divided. While 41 per cent supported a costs cap, a significant proportion (46 per cent) were undecided.

The high proportion of undecided respondents may suggest that many experts are still assessing the potential implications of the judgment and any future changes to fee recovery arrangements.



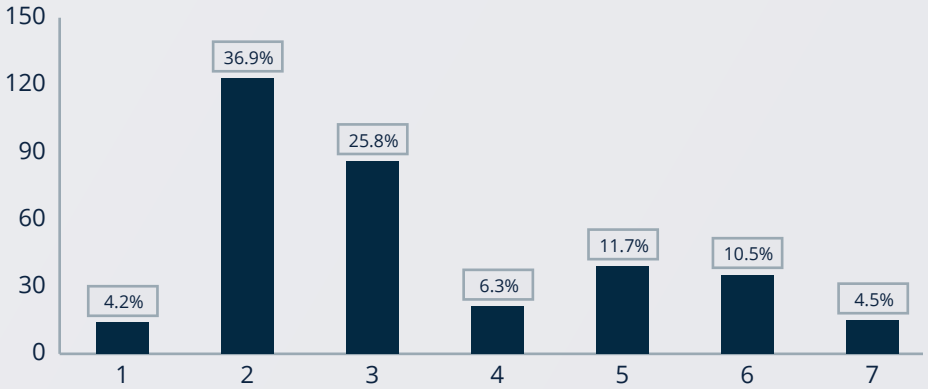


*Medical experts only. The totals for this question have been rounded up to the nearest percentage decimal place.

Question 34

If MROs fees are capped and they pass the shortfall on to experts, how are you likely to respond?*

Label	Response	Poll
1	Reluctantly accept this because you rely on MROs for expert work	14
2	Increase your fees to account for this	123
3	Refuse MRO instructions in favour of private work	86
4	Take on less expert witness work or consider leaving the expert witness profession	21
5	Too early to say	39
6	Not applicable	35
7	Other	15



*Medical experts only. The totals for this question have been rounded up to the nearest percentage decimal place.

Question 35

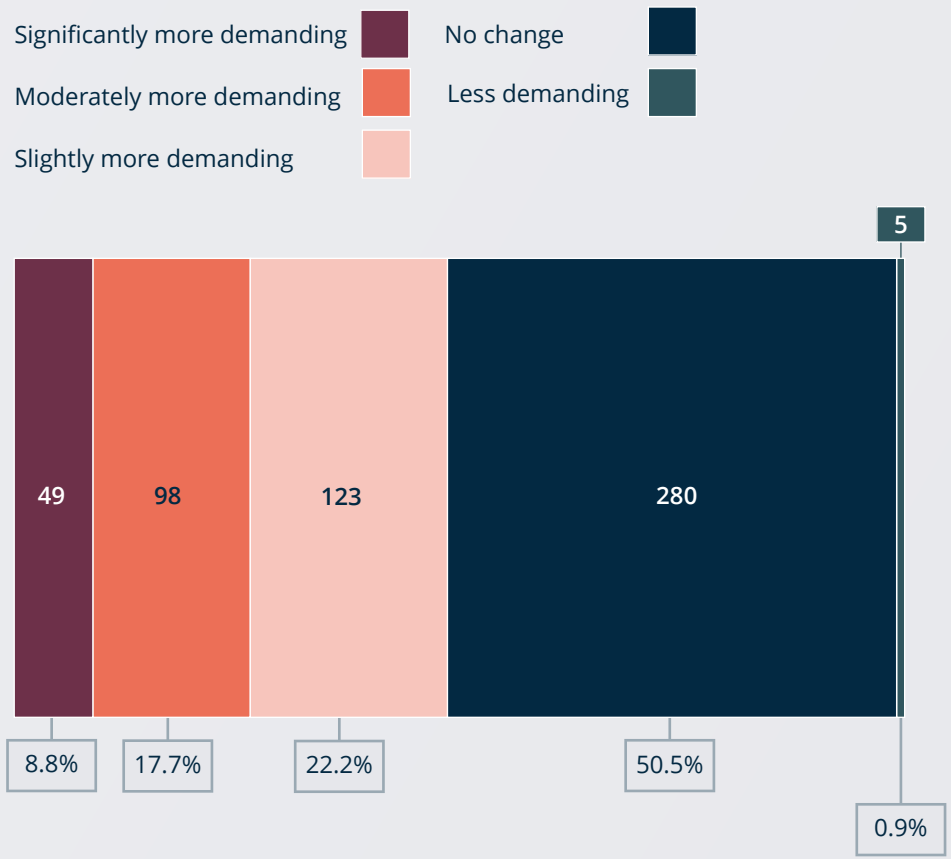
Commentary in relation to Question 34

Experts were also asked how they would respond if a cap on MRO fees resulted in reduced fees being passed on to experts. More than one-third (37 per cent) indicated they would be likely to increase their own fees, while 26 per cent stated they would be likely to decline MRO instructions in favour of private work. Only 4 per cent stated that they would reluctantly accept reduced fees because they rely upon MROs for work.

These findings should be considered in the context of the survey demographics, particularly given that 60 per cent of respondents have been practising as expert witnesses for more than ten years and may therefore have established referral networks outside the MRO relationship.

Question 36

In your view, have court expectations of experts become more demanding over the past 12 months?*



The following questions explored the changing experience of expert witness practice.

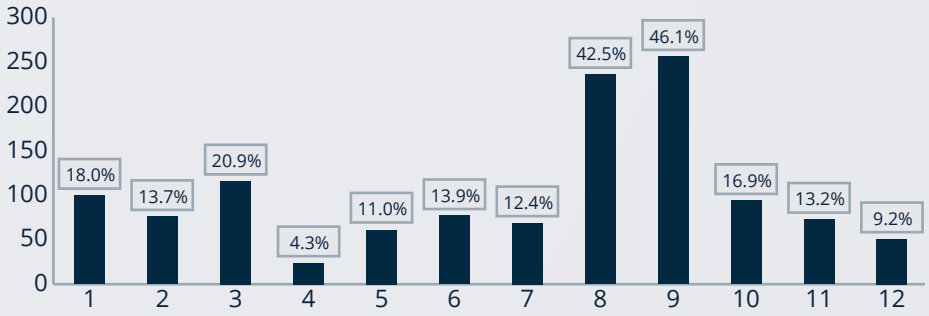
Half of respondents (50 per cent) indicated that they had not observed any significant change in court expectations over the last twelve months, while 22 per cent reported that courts had become slightly more demanding.

*The totals for this question have been rounded up to the nearest percentage decimal place.

Question 37

Which aspects of expert witness work are becoming more challenging?*

Label	Response	Poll
1	Compliance requirements	100
2	Court appearances, including cross-examination	76
3	Meetings with experts and joint statements	116
4	Record keeping	24
5	Report writing	61
6	Securing instructions	77
7	Communicating with instructing solicitors	69
8	Getting paid in a timely way	236
9	Dealing with large volumes of digital evidence	256
10	Use of AI and technology	94
11	Expert-to-expert disagreements	73
12	Other	51



*Respondents could select multiple options. Percentages therefore represent the proportion of surveyed respondents who selected each option and will total more than 100 per cent.

Question 38

Commentary in relation to Question 37

The most frequently identified challenges were:

- Managing large volumes of digital evidence.
- Obtaining prompt payment.
- Meetings with opposing experts and joint experts.
- Compliance and procedural requirements.

Taken together, these responses suggest that experts are facing increasing pressure not only from the substance of their professional work but also from the procedural and administrative demands that surround it.

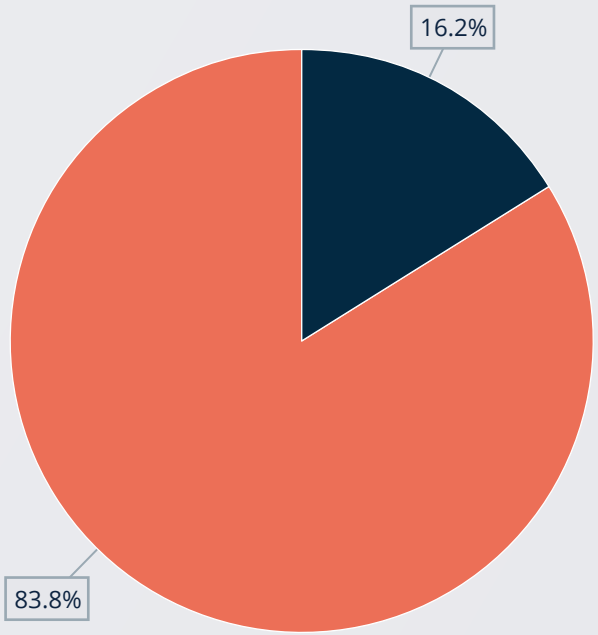
The issue of timely payment remains particularly notable. It has featured prominently in past surveys, even as far back as the 2015 survey, suggesting that it continues to be a persistent concern within the expert witness community.

Many respondents also referred to increasing timetable pressures, late provision of evidence, court adjournments and the logistical challenges associated with managing large and complex digital records.

Question 39

Have you changed any aspect of your practice in response to recent judicial decisions or developments?

Yes	90
No	465



Question 40

Commentary in relation to Question 39

Only 16 per cent of respondents (90 out of 555 experts) reported changing aspects of their practice in response to recent judicial decisions or developments.

This finding suggests that, whilst judicial scrutiny of expert evidence continues to generate discussion within the profession, relatively few experts have felt the need to make substantive changes to the way they practise. This may reflect confidence in the role, court procedures and duties/ responsibilities. Again, these findings should be considered in the context of the survey demographics, particularly given that 60 per cent of respondents have been practising as expert witnesses for more than ten years.

Question 40 continued

Among those who reported making changes, several common themes emerged:

- Greater emphasis on remaining within the boundaries of their expertise and resisting attempts to expand their role beyond their area of competence.
- Changes to instruction practices, including reducing or ending reliance on agencies and preferring direct instructions from solicitors.
- Increased attention to transparency and record keeping, particularly regarding the use of AI.
- Greater scrutiny of the use of assistants and support staff.
- Changes to fee structures in response to recent judgments and market developments.
- Increased training and professional development.
- More detailed consideration of conflicts of interest, compliance obligations and expert witness duties.

Respondents also described a range of more specific changes arising from recent judicial decisions and public inquiries. These included refining report structures, limiting work in certain specialist areas perceived to attract increased scrutiny, and reviewing their approach to disclosure and evidence preparation.

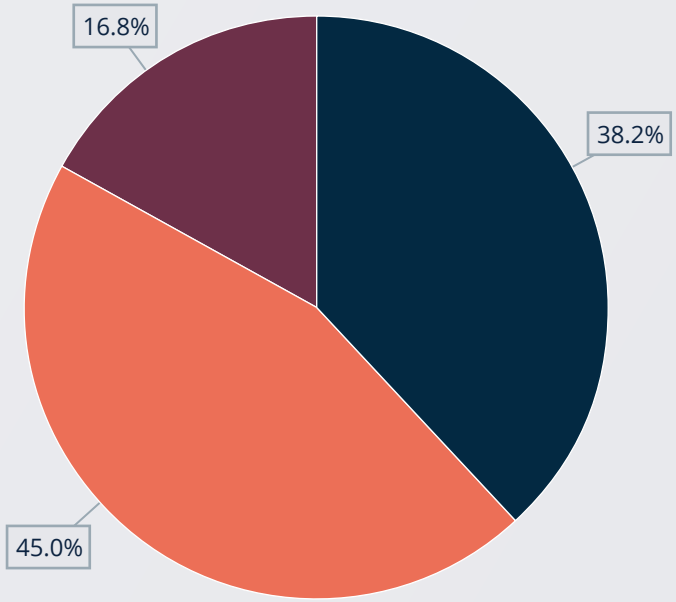
Taken together, the responses suggest that where change has occurred, it has largely been driven by a desire to strengthen independence, improve transparency and ensure compliance with the evolving expectations of courts and tribunals. Several respondents also highlighted the importance of learning from judicial criticism of expert evidence, using recent cases and decisions as opportunities to reflect on professional practice and identify potential areas for improvement.

While only a minority of experts have changed their practices to date, the comments indicate that respondents remain alert to legal and procedural developments that may affect the preparation and presentation of expert evidence in the future.

Question 41

Have you encountered experts being instructed in cases outside their expertise?

Yes	212
No	250
Unsure	93



Question 42

Commentary in relation to Question 41

More than one-third of respondents (38 per cent) reported encountering experts who had been instructed in matters that they considered fell outside the expert's area of expertise.

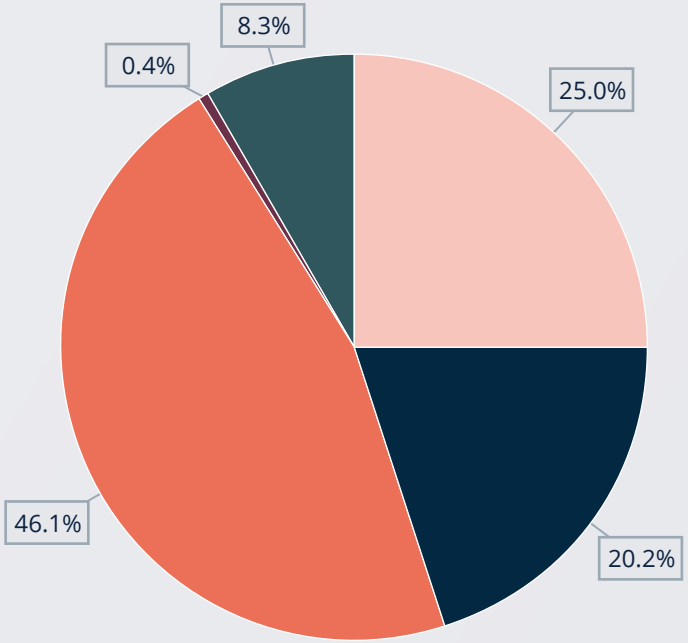
This finding raises questions about how expertise is defined, assessed and applied in practice. Respondents suggested that the issue may arise both from experts accepting instructions beyond their core competencies and from solicitors preferring to instruct familiar experts who may not possess the most directly relevant specialist expertise.

Many respondents emphasised the importance of experts recognising and respecting the limits of their expertise and declining instructions where appropriate.

Question 43

How important is practical experience, compared with academic knowledge, when assessing an expert's suitability?

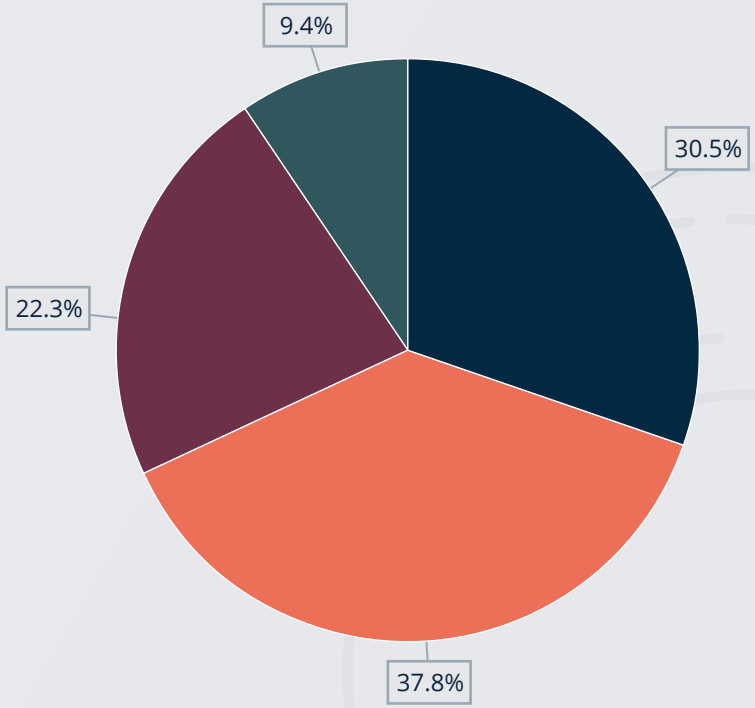
Practical experience is far more important	139
Practical experience is somewhat more important	112
Both equally important	256
Academic knowledge more important	2
It depends on the case	46



Question 44

Do you think there are enough qualified and credible expert witnesses within your specialist field?

Yes	169
No	210
Unsure	124
Varies by speciality	52



Question 45

What do you think makes a qualified and credible expert witness in your specialist field?

38 per cent of respondents stated that there are not enough qualified and credible experts within their specialist field, compared with 30.5 per cent who believe there are sufficient numbers.

These findings may point to concerns regarding workforce capacity, succession planning and the availability of suitably qualified experts in certain disciplines.

When asked what qualities contribute to a qualified and credible expert witness, respondents most commonly identified:

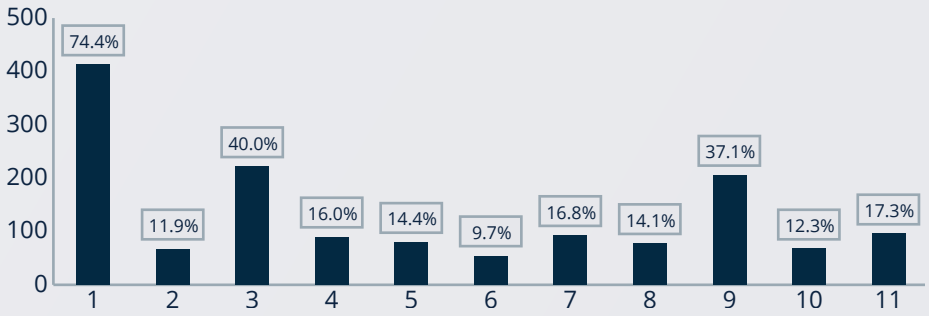
1. Significant practical or clinical experience.
2. Academic qualifications and professional education.
3. Expert witness training and accreditation.
4. Professional regulation where applicable.
5. Up-to-date CPD and continuing professional development.
6. Ongoing engagement in active practice.
7. Experience preparing expert witness reports.
8. Core professional attributes, including independence, integrity, objectivity, analytical ability and effective communication skills.

While views varied regarding the amount of practical experience required, a common theme was that credibility depends on a combination of technical expertise, current professional practice and a clear understanding of the expert witness role.

Question 46

Which issues do you believe will most affect the expert witness profession over the next three years?*

Label	Response	Poll
1	AI and the credibility of evidence	413
2	Court reforms	66
3	Fee pressure	222
4	Growth of more complex, technical disputes	89
5	Judicial scrutiny	80
6	Public/media scrutiny	54
7	Recruitment of new experts	93
8	Higher standards of qualification and regulation	78
9	Experts coming into the field who do not understand their duty to the court	206
10	Increasing regulation	68
11	Rising litigation costs	96



*Respondents could select multiple options. Percentages therefore represent the proportion of surveyed respondents who selected each option and will total more than 100 per cent.

Question 47

What is the single biggest challenge facing expert witnesses today?

The most common responses were:

1. Artificial intelligence.
2. Timely payment of fees.
3. Late or poor-quality instructions combined with rigid court timetables.
4. Large volumes of electronic documentation.
5. Concerns regarding the competence, independence or conduct of some experts.
6. Pressure from instructing solicitors.
7. Increasing judicial scrutiny.

Taken together, these responses indicate that experts are grappling with a combination of technological, commercial and procedural challenges, alongside ongoing concerns about maintaining independence, standards and professional credibility.

Question 48

If you could change one thing about expert evidence, what would it be?

The most common responses were:

1. Review of fee structure and payment terms – some have suggests that experts should receive payment (or a part payment) on receipt of report.
2. More time to prepare reports and earlier communication between experts.
3. Much more hot tubbing, that is the way to compare the reliability and credibility of experts.
4. Keep expert reports brief and concise. Many are far too long and verbose.
5. Regulation of experts.
6. Cross-examination – a less confrontational process.
7. Better guidance on the use of AI.
8. Mandatory feedback from instructing solicitors.
9. More efficient and effective electronic document storage
10. Expert witness training should be mandatory.
11. Remove joint experts

Question 49

What topic would you most like addressed at future expert witness conferences?

The most common responses were:

1. The use of AI by expert witnesses.
2. Anything to do with ‘where experts went wrong’ is always a good opportunity for education.
3. Dealing with aggressive cross examination.
4. How best to manage voluminous digital records.
5. Dealing with poor experts when you know they are causing issues and possibly preventing settlement.
6. Maintaining impartiality in a system where each party appoints its own expert.
7. Retirement planning.
8. Managing relationships with instructing solicitors, barristers and judges.
9. Common pitfalls with report writing or tips how to produce good report.
10. The use of statistics.

Overall Conclusion

This year's survey presents a picture of a profession navigating a period of significant change. While many respondents reported stable workloads and commercial viability, the results reveal growing pressures arising from technological developments, increasing administrative demands, evolving judicial expectations and ongoing concerns about standards within the expert witness community.

Artificial intelligence emerged as one of the defining themes of the survey. AI use has increased considerably over the last 12 months, particularly for research, administrative support and document review. At the same time, respondents expressed strong concerns about over-reliance on AI, the risk of inaccurate outputs and the potential impact on professional judgment. There is clear support for greater transparency regarding AI use, but also a strong desire for practical and proportionate guidance on how these tools should be used by experts.

Commercial pressures continue to be a significant concern. Delays in payment, pressure on fees, agency charging structures and the increasing costs associated with expert witness work were all recurring themes. Responses suggest that these issues remain among the most persistent challenges facing experts and, for some, may affect the long-term attractiveness and sustainability of expert witness work.

Questions relating to competence, regulation and professional standards also generated considerable discussion. Many respondents expressed concerns about experts operating outside their areas of expertise and the availability of suitably qualified experts within some specialist fields. While there was broad support for measures aimed at improving consistency and maintaining standards, opinions differed on the extent to which formal accreditation or regulation should be introduced.



The survey also highlights the increasingly complex environment in which experts operate. Respondents referred to larger volumes of digital evidence, tighter timetables, greater procedural demands and increased scrutiny from courts and instructing parties. Alongside these challenges, many emphasised the continuing importance of maintaining independence, objectivity and professional integrity in a more demanding and fast-moving landscape.

Looking ahead, the findings suggest a profession that is adapting rather than resisting change. Experts are embracing new technologies where they can enhance efficiency, while remaining conscious of the need to preserve professional judgment and independence. At the same time, there is a clear appetite for improved guidance, fairer commercial arrangements and continued discussion about how best to uphold standards across the profession.

Taken together, the results indicate that while the challenges facing expert witnesses continue to evolve, the core principles underpinning expert evidence remain unchanged: expertise, independence, objectivity and a commitment to assisting the court. Ensuring those principles are maintained in an increasingly complex legal and technological environment is likely to remain a central priority for the profession in the years ahead.

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