

RICS EXPERT WITNESS CERTIFICATE

Application for exemption to the RICS Expert Witness Certificate (EWC)

To obtain an exemption candidates must demonstrate to RICS Dispute Resolution Service that they have undertaken specific expert witness training and assessment within 3 years prior to the claim for exemption being made. Candidates must map out details of the syllabus and assessment they have undertaken against the content of the RICS EWC. The onus is on the candidate to demonstrate to RICS that they have undertaken the content elsewhere in their studies.

The EWC consists of 5 competencies

- Competency A – Managing the Appointment
- Competency B – Managing the post appointment process
- Competency C – Constructing a comprehensive expert witness report
- Competency D – Discussions between experts
- Competency E – Delivering effective evidence in court

There will be an administration charge (£100.00 & VAT) made by RICS for considering individual exemption applications.

Please note that all candidates will be required to have all five competencies of the RICS Expert Witness Certificate successfully assessed. The cost of the assessment is £450+VAT for members or £495+VAT for non-members.

Please use the tables below to map out specifically the competency you are seeking exemption for. The application form with accompanying evidence of syllabus, assessments and results should be submitted to Raj Sohal (rsahal@rics.org) with the administration fee,

For further information or to seek exemption candidates must contact Raj Sohal:

Mrs Raj Sohal LLB (Hons) RICS Accredited Mediator
Head of DRS Products & Engagement
Dispute Resolution Service
Royal Institution of Chartered Surveyors
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Competency A – Managing the appointment

RICS topics/learning outcomes covered in Competency A	Evidence of how the external qualification satisfies RICS learning outcomes and assessment criteria for Competency A
<p>This competency will cover the following topics:</p> <p>Your duties to the tribunal:</p> <hr/> <ul style="list-style-type: none"> • Receiving instructions • Instructions from a prospective client with no legal representation • Responsibility for expert witnesses' fees • Contingency and conditional fees • Understanding conflicts of interest and where you cannot act • Immunity of expert witnesses • Liability in negligence and elsewhere • Managing a dual role of expert and advocate • History and role of the expert witness • Acting as a single joint expert <hr/>	
<p>Understanding the law:</p> <hr/> <ul style="list-style-type: none"> • Dealing with documents • Discovery and disclosure • Evidence of fact and expert (opinion) evidence • The development of expert evidence • Admissibility and weight • Privilege <hr/>	

Competency B – Managing the post-appointment process

<p>RICS topics/learning outcomes covered in Competency B</p>	<p>Evidence of how the external qualification satisfies RICS learning outcomes and assessment criteria for Competency B</p>
<p>This competency will cover the following topics:</p> <p>Practical steps following appointment:</p> <hr/> <ul style="list-style-type: none"> • What documents to consider • Identifying missing documents • Specific disclosure • Inspection of original documents • Assisting the legal team in appointing the correct 'team' • Preparation and status of preliminary reports • Initial meetings with the legal team • Assistance in the preparation of the pleadings • Preparing cost estimates under precedent H • Further consideration of fees • Setting up your job files and updating them • Ongoing checks for conflicts of interest etc. • Internal teams working on expert appointments <hr/>	

Competency C – Constructing a comprehensive expert report

<p>RICS topics/learning outcomes covered in Competency C</p>	<p>Evidence of how the external qualification satisfies RICS learning outcomes and assessment criteria for Competency C</p>
<p>This competency will cover the following topics:</p> <hr/> <ul style="list-style-type: none"> • The structure and scope of the content of the report • Your continuing duty to the tribunal • Legal requirements • RICS Statement of truth and declaration • Amending a report • Techniques for writing a comprehensive and effective report <hr/>	

Competency D – Discussions between experts

RICS topics/learning outcomes covered in Competency D	Evidence of how the external qualification satisfies RICS learning outcomes and assessment criteria for Competency D
<p>This competency will cover the following topics:</p> <ul style="list-style-type: none"> • History and development of expert witness meetings • Court ordered meetings • Expert initiated meetings • Your duty throughout • Preparation • RICS guidance and practical advice on how to act prior to and during the meeting • Court directions • Writing a joint statement • Declarations • Acting as a single joint expert 	

Competency E – Delivering effective expert evidence in court

RICS topics/learning outcomes covered in Competency E	Evidence of how the external qualification satisfies RICS learning outcomes and assessment criteria for Competency E
<p>This competency will cover the following topics:</p> <ul style="list-style-type: none"> • The adversarial system • Evidence in chief and cross examination • What a court looks like • The court's dramatis personae • Taking the oath or affirmation • Staying within your field of expertise • Preparing for giving evidence • How to conduct yourself and make a good impression • Concurrent evidence or 'hot tubbing' • Advising advocates 	

Last reviewed: March 2024