

**Notes in the use of this template expert report:**

To assist experts in their preparation of expert reports, the training team at [Loquitur](http://www.loquitur.com.au) has provided the following sample, precedent expert report. Please feel free to use this as a template or guide when preparing your expert reports. However, you must be aware of the limitations in this template report.

This report is provided simply as an example or a guide to help you plan and structure your report in a logical way. It is not the only way to prepare a report and it also may not be the most appropriate format for your report. This will depend on many factors, such as:

1. The court in which the report will be used;
2. Whether you are a joint expert or not;
3. The substantive content of your report; and/or
4. The relevant code of conduct and court rules applicable in the proceedings.

If you have any specific questions in respect to the drafting of the substantive content of your report, we recommend you speak to your instructing solicitor. Also remember that in providing this report we have not (and indeed cannot) consider the specific legal situation you are in. This report should in no way be considered as legal advice – it is provided for general training and educational purposes only.

LOQUITUR: SAMPLE TEMPLATE EXPERT REPORT

**EXPERT REPORT IN RELATION TO [INSERT]**

**INSTRUCTING SOLICITORS: [INSERT]**

**CLIENT: [INSERT]**

**IN THE MATTER OF: [INSERT COURT / MATTER PROCEEDINGS / PARTIES]**

**DATE: [INSERT]**

**PREPARED BY: [INSERT EXPERT NAME, PROFESSIONAL ADDRESS AND ORGANISATION]**

LOQUITUR: SAMPLE TEMPLATE EXPERT REPORT

**IN THE MATTER OF:** [INSERT COURT / MATTER PROCEEDINGS & PARTIES]

## **1. EXECUTIVE SUMMARY**

1.1. [INSERT]

## **2. INSTRUCTIONS**

2.1. This report has been prepared on the basis of instructions received in these proceedings dated [DATE] from my instructing solicitors. A copy of these instructions are attached to this report at **Annexure [1]**.

## **3. LIMITATIONS AND RELIANCE**

3.1. This Report has been prepared on the basis of information received. Should further information be subsequently available to me that materially affects the opinions contained herein, I reserve the right to amend my Report.

3.2. Except where otherwise stated in my Report, I do not imply, and it should not be construed that I have verified any of the information provided to me, or that my enquiries could have verified any matter which a more extensive examination might disclose.

3.3. [INSERT ANY OTHER LIMITATIONS, SUCH AS THE VERIFICATION OR AUDITING OF TECHNICAL DOCUMENTS, ANALYSIS OF UNDERLYING INFORMATION IN ACADEMIC PAPERS ETC].

3.4. In the preparation of this Report I was assisted by staff of my firm. I confirm that all opinions given are mine and are truly held by me.

3.5. The purpose of this Report is to respond to my instructing solicitors in respect of my instructions (above), and is not to be used for any other purpose. I, and my firm, disclaim any responsibility for reliance on this Report for any other purpose.

## **4. QUALIFICATIONS AND EXPERIENCE**

4.1. Attached to this report at **Annexure [2]** is a copy of my current CV showing my Qualifications and Experience.

## **5. DOCUMENTS REVIEWED**

5.1. In preparing this report I have reviewed the following documents:

5.1.1. [LIST].

## 6. ASSUMPTIONS

6.1. In preparing this report I have relied upon the documents referred to above, and otherwise set out in the Annexures to this report.

6.2. In preparing this report I have made the following assumptions:

6.2.1. [LIST].

6.3. My conclusions in this report are based on this reliance and these assumptions. Should these in fact prove to be materially different this may in turn materially affect the content of my report, and the conclusions therein.

## 7. BACKGROUND

7.1. [DISCUSS ANY BACKGROUND INFORMATION, FACTS, CIRCUMSTANCES ETC RELEVANT TO THE INSTRUCTION, INCLUDING THE PROCEEDINGS IF APPROPRIATE]

## 8. ISSUES TO BE ADDRESSED

8.1. [BRIEFLY OUTLINE THE ISSUES TO BE ADDRESSED IN THIS REPORT.]

## 9. METHODOLOGY

9.1. [EXPLAIN THE VARIOUS METHODOLOGIES, TESTS, STANDARDS AND PROCESSES WHICH EXPERTS COULD AND SHOULD USE TO ANSWER THE QUESTIONS POSED. THIS WILL INCLUDE AN ANALYSIS OF THE STRENGTHS AND WEAKNESSES OF THESE]

9.2. DISCUSS THE METHODOLOGY OR METHODOLOGIES YOU PROPOSE TO USE, **AND MOST IMPORTANTLY**, WHY YOU USED THESE AND DID NOT USE OTHERS].

## 10. CONSIDERATION AND APPLICATION

- 10.1. [THIS IS THE TECHNICAL INVESTIGATION AND INQUIRY: APPLY THE ABOVE METHODOLOGY TO THE FACTS AND CIRCUMSTANCES OF THIS INSTRUCTIONS. BE SURE TO **EXPLAIN HOW YOU APPLY THEM – I.E. YOUR REASONING AND THOUGHT PROCESS – THIS IS ESSENTIAL AND THIS IS WHAT THE COURT WILL LOOK AT EVEN MORE THAN YOUR CONCLUSIONS**]
- 10.2. [NOTE HERE DETAILS OF YOUR TESTS, INSPECTIONS AND VISITS, THE OUTCOMES OF THESE, AND THE CONCLUSIONS WHICH CAN BE DRAWN FROM THESE].

**11. CONCLUSIONS AND OPINION**

- 11.1. [EXPLAIN YOUR CONCLUSIONS AND OPINION HERE, BASED ON THE ABOVE REASONING]

**12. DECLARATION**

- 12.1. [INSERT AS PER THE RELEVANT EXPERT WITNESS RULES / CODE OF CONDUCT ETC APPLICABLE TO THE PROCEEDINGS]

Date: .....

**[Signed]**

.....  
[NAME OF WITNESS]  
[ORGANISATION]

LOQUITUR: SAMPLE TEMPLATE EXPERT REPORT

## Annexure 1 – Instructions

[Insert]

LOQUITUR: SAMPLE TEMPLATE EXPERT REPORT

## Annexure 2 – Current CV

[Insert]

LOQUITUR: SAMPLE TEMPLATE EXPERT REPORT