

... Presentation of the Report



(a) Cover Page

- state the case reference
- state the parties in action
- state the party you are acting for
- state your name in full
- date/reference of the Report



(b) Contents Page

- Sectional Headings
- Page Numbering
- Summary of Appendixes

(c) Reference System

- for the various Sections, Paragraphs and sub-paragraphs
- for the Appendixes
- beware of mis-match in cross references

(d) Introduction

- About the expert (with C.V.)
- The INSTRUCTION(S)
- Documents received from own solicitors (... pleading documents)
- Other documents examined by the Expert
- State conflict of interest, if any

(e) Background of the Action

- State the facts >>> avoid giving opinions at this moment
- State the current situation (if time lapse is considerable or critical)
- Include a CHRONOLOGY if required to better clarify the situation

(f) The Investigations

- Approach including background information search
- Non-destructive tools and equipments used
- Date and **weather condition**
- Parties present
- **Name your Assistant(s)**
- Any restriction and make qualifications as appropriate
- Any samples collected for forensic testing

The Weather

Hong Kong Observatory - Windows Internet Explorer
 http://www.hko.gov.hk/contente.htm

Google 這是英文網頁，需要「Google 工具列」為您翻譯嗎？
 瞭解詳情 不是「英文」的網頁嗎？ 協助我們進行改進

我的最愛 Hong Kong Observatory

Today's Weather Warnings
 Local Weather Observations
 Weather Forecast
 Weather Monitoring Imagery
 Computer Forecast Products
 MyObservatory
 Tropical Cyclones
 Aviation Weather Services
 Marine Meteorological Services
 Weather Information for Sports
 Weather Information for Communities
 China Weather
 World Weather
 Climatological Information Services
 Climate Forecast
 Climate Change
 El Nino and La Nina
 Earthquakes and Tsunamis
 Astronomy, Space Weather and Geomagnetism
 Time and Calendar
 Radiation Monitoring, Assessment and Protection
 Educational Resources
 Publications
 Media and Information Services
 Audio/Video Webpage
 Electronic services
 World Meteorological Day
 World Meteorological Organization-Official City Weather Forecasts

Today's Warnings
 Weather & Rainfall map
 Airport weather
 Earthquake/Tsunami
 Tropical Cyclone
 Others

Temp RH Max Temp Min Temp Wind Visibility RH

Current Weather at 11 a.m.
 HKO : Temp 23 °C RH 83 %
 King's Park : UV Index 5 (moderate)
 North Point Sea Surface Temp : 16 °C

Astro Tide
 Sun ☀ 06:30
 Sun 🌅 18:33
 Moon 🌕 02:34
 Moon 🌑 13:54
 Moon Phase

Satellite Radar Lightning

Air temperature at 10:50 on 17 Mar 2012

Local Weather Forecast Updated at 10:45 HKT

A humid and mild maritime airstream is affecting the coastal areas of Guangdong. Locally, it was foggy with the visibility in the harbour and at Waglan Island once falling below 1000 metres this morning.

Weather forecast for today
 Cloudy with fog patches. Warm with sunny periods in the afternoon. Light to moderate east to southeasterly winds.

Outlook : Remaining humid and foggy in the next couple of days. Cooler early next week.

7-day Weather Forecast Updated at 22:25 HKT

Date	17 Mar Sat	18 Mar Sun	19 Mar Mon	20 Mar Tue	21 Mar Wed	22 Mar Thu	23 Mar Fri
Weather							
Temp	20 - 26 °C	21 - 26 °C	19 - 22 °C	18 - 20 °C	17 - 19 °C	18 - 21 °C	17 - 22 °C
RH	75 - 100 %	75 - 100 %	80 - 100 %	80 - 90 %	75 - 90 %	80 - 95 %	70 - 90 %

2012.03.17 weather forecast

>>> Handy Tools and Equipments



Your ideal solution for
cost-effective and efficient
preventive maintenance



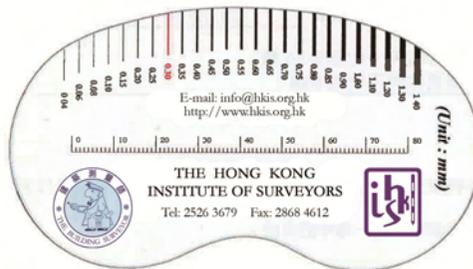
i5 / i7



ThermaCAM™ E30

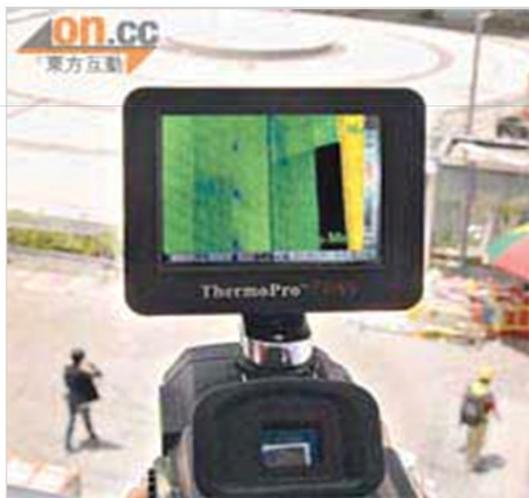


i40 / i50 / i60



Moisture Master

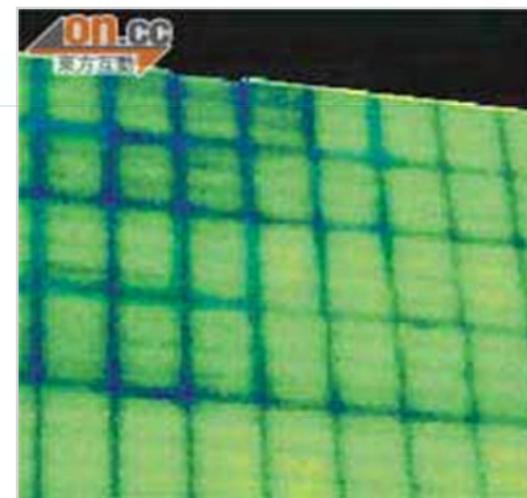
Where are the leakages ???



Q 高清紅外線掃描儀的準確度高達百分之九十五。

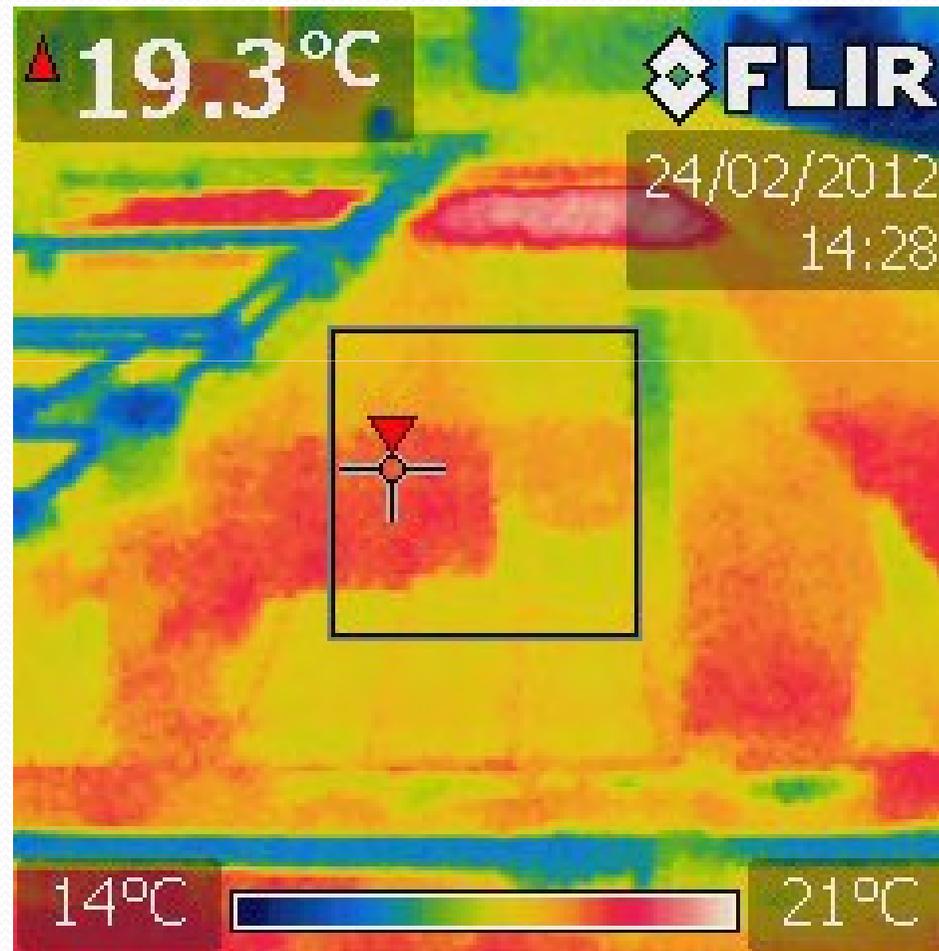


Q 藍色：滲水嚴重
在高清紅外線掃描儀下，「門常開」牆身出現「藍點」，顯示有滲漏問題。

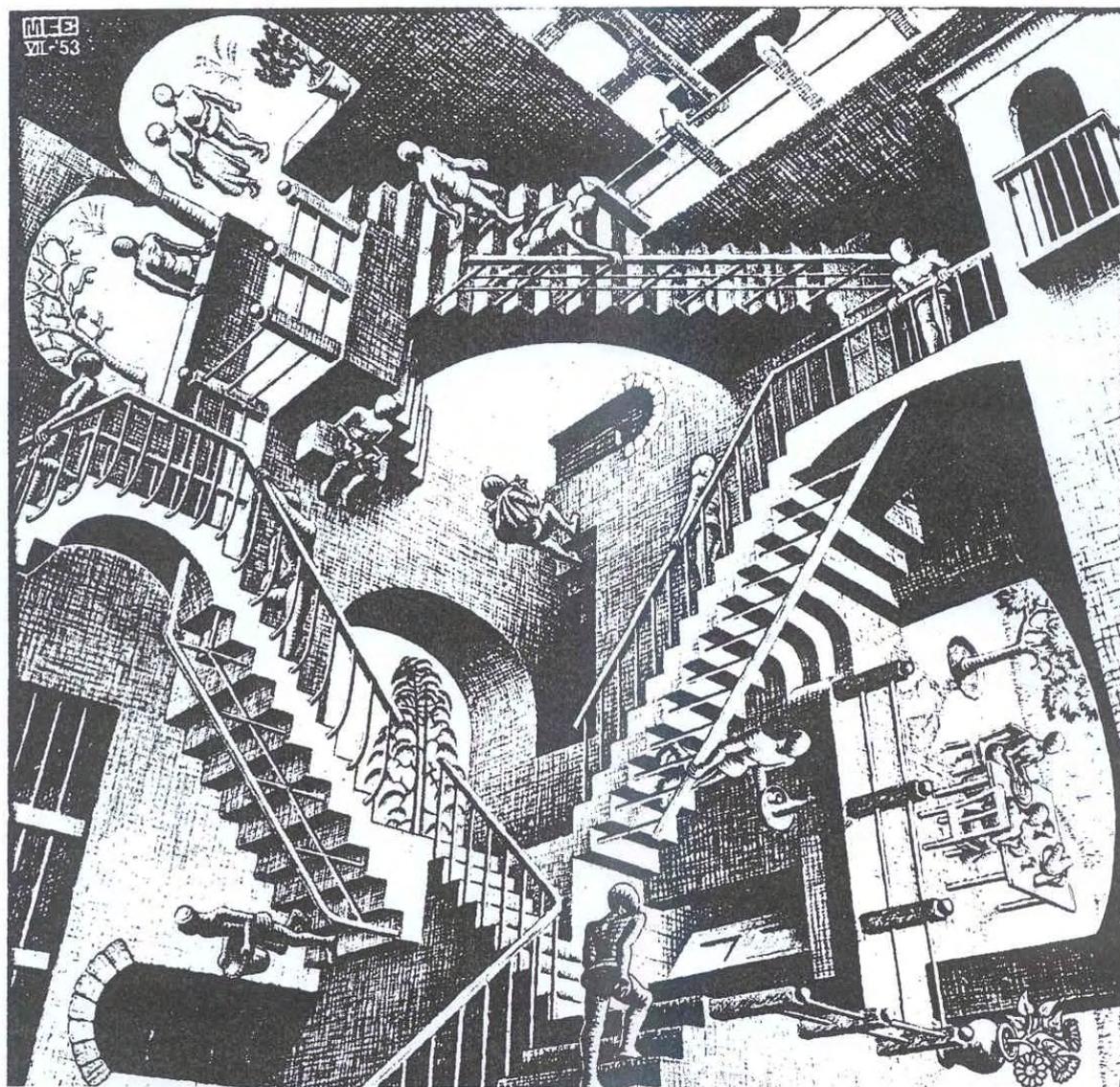


Q 行政長官辦公室
紅外線照片顯示行政長官辦公室亦出現滲水問題。

... and the wettest areas are



Relativity ...
mysteries of
the site in
particular
when such
is not your
client's
premises



4. 艾夏 (Escher) **Relativity** 1953 石版畫
Mickelson Gallery Washington 提供

(g) Facts

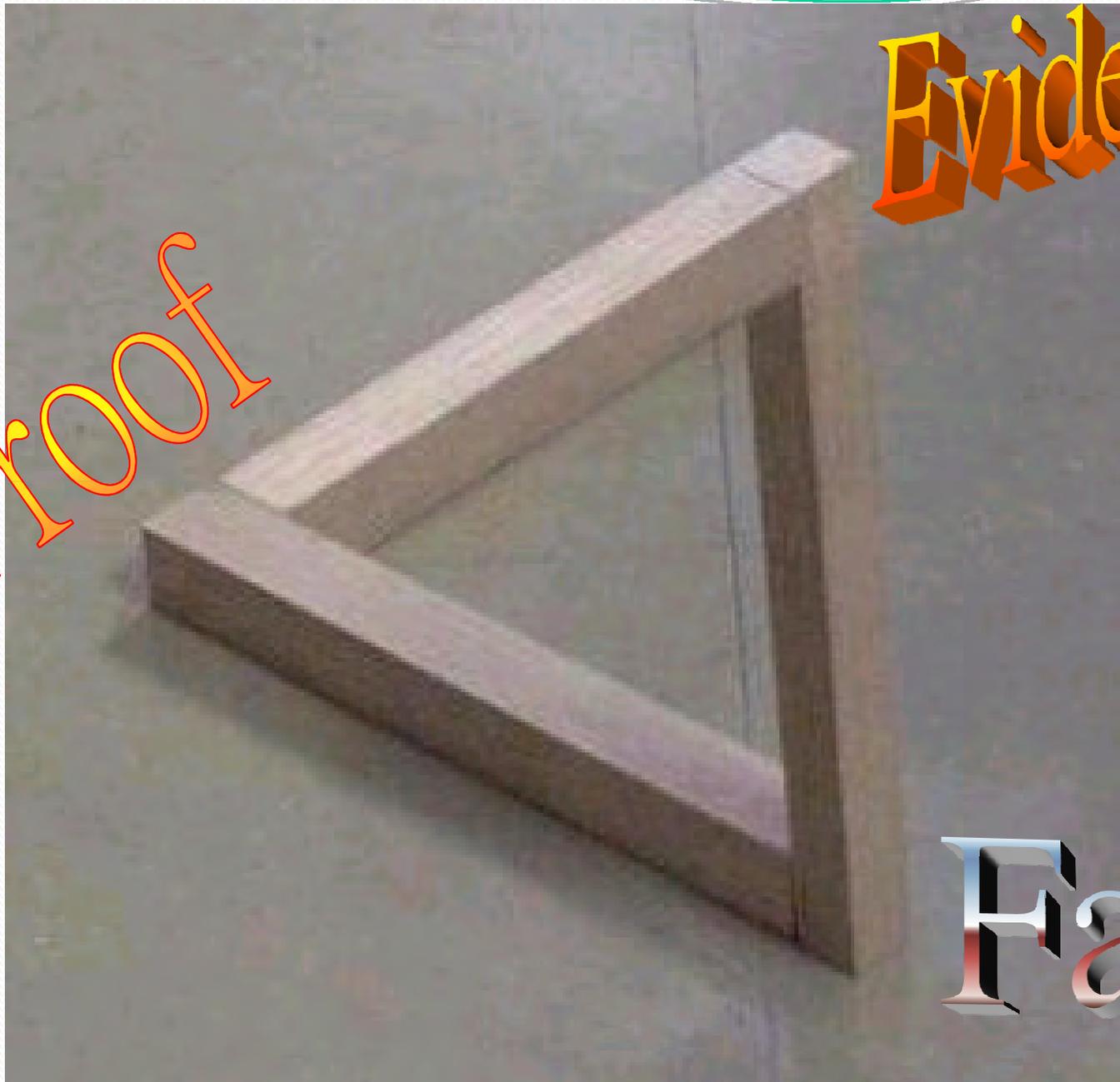
- State your observations and investigations
- Avoid giving opinions at this moment
- Avoid jumping to conclusion



Proof

Evidence

Fact



GENERIC TERMS RELATING TO WATER LEAKAGES

Leak (Leakage)

- liquid etc. wrongly makes its way in or out

Seep (Seepage)

- Ooze out, trickle, leak,

Drip (Drippage)

- Fall or let fall in drops

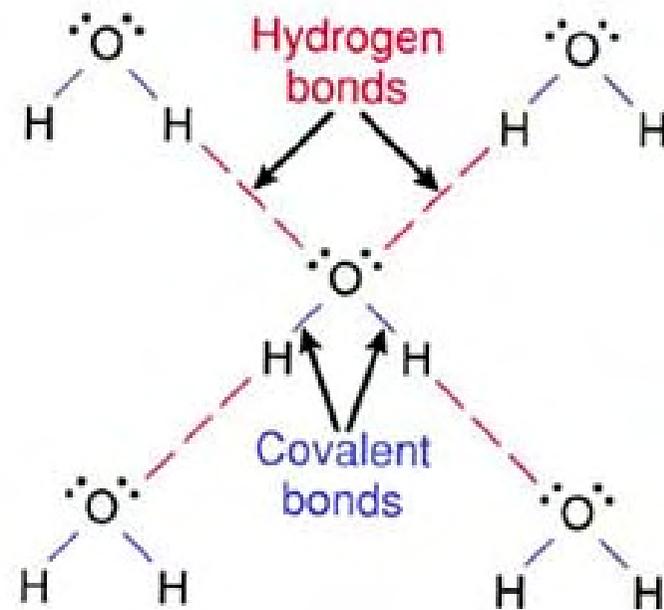
Drop

- Fall from not being held

(h) Deliberations or Discussions

- assessments and appraisal
- forensic test results if applicable
- state your opinions >>> the EVIDENCE
- state **range of opinion** where appropriate
- qualify skills outside your expert area

... keep simple to the lay persons



Hydrogen bonding in water.

(i) Summary Conclusion

- Sum up your deliberations
- Sum up your opinions
- Make due qualifications **AGAIN** if considered critical
- **NEVER** draw conclusion on liability



(j) Summary of Appendixes

for easier reference

(for yourself, the parties in action and most important of all, the JUDGE)

(k) Declaration and Statement

- A MUST under the CJR since 2nd April 2009
- Sign/Engross the Report in your **personal name**

Engrossment of the report

██████████ Surveyors & Co.



██████████ W██████, FHKICE, MIPI(U.K.), PC.Eng., DLS(HKU), (part of LLB)

Follow Member of Hong Kong Institution of Chief Engineers (Facilities & Maintenance). ██████████

Founding Member of The Association of Chief Engineers (No. ██████████)

Member of The Institute of Professional Investigators (U.K.) No. ██████████

Member of The American Society of Appraisers. (No. ██████████)

Member of Hong Kong Concrete Repair Association No. ██████████

Registered Mediator, Hong Kong Mediation Centre, No. AM ██████████

Registered Electrical Worker No. W██████████

Cert. in Water Proofing & Repairs – CITA.

Cert. in Concrete Repairs – CITA.

Advanced Diploma in Building Services Engineering and Maintenance (APD/BS).

Professional Diploma in Fraud Examination (CUHK).

Competent Person No. CSP ██████████ Sec. 4(2) of Factories and Industrial Undertaking (Confined Spaces) Regulation. Cap. 59.

Mr. W██████ has been in this field of surveying water leakage and damage to premises or buildings for 25 years.

Over the past 25 years, he has tackled 2,500 claims investigation relating to water leakage and damage.

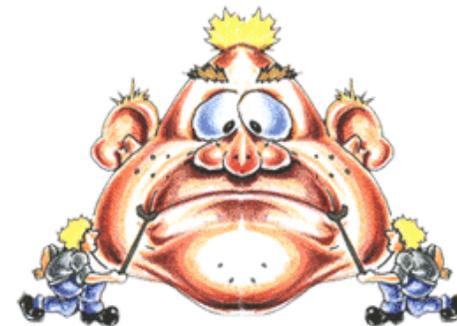
Mr W██████ holds MIPI. (Membership of this Institute is recognized as an indication of confirmed investigatory professionalism within the United Kingdom, European Economic Community and a number of overseas countries including Hong Kong.)

I) Expert Reports in General

- use simple sentences
- use proper trade terms
- explain “un-common” trade terms in lay person’s language
- avoid trade and legal jargon
- leave adequate margin on 4 sides
- avoid “orphan” and “widow”
- produce all colour pages under the same production

(m) Final Advice

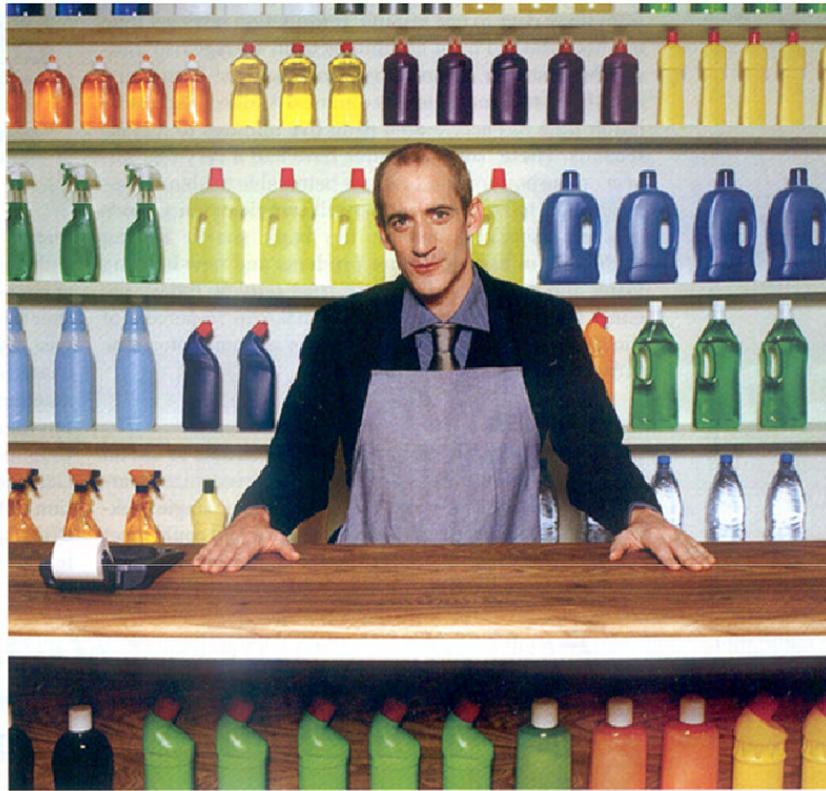
- The Expert Report ... a fusion and crossover of the above points
- Caveat Venditor ... let the seller be aware
- Shakespear (a soliloquy by Prince Hamlet of Denmark) ... **TO BE OR NOT TO BE, THAT IS THE QUESTION >>> TO DIE ... OR TO SLEEP**



The 10 Commandments for the Experts (source – the Academy of Experts)

2 The 10 Commandments

- 2.1 Thou shalt **not:** say what you personally would have done under the circumstances, but explain the standards of conduct of your profession.
- 2.2 Thou shalt **not:** be a soldier for your side.
- 2.3 Thou shalt: leave the advocacy to counsel.
- 2.4 Thou shalt **not:** show off.
- 2.5 Thou shalt **not:** be dragged into areas outside your own expertise: don't be a know-all.
- 2.6 Thou shalt **not:** be tempted to diversify outside your own expertise.
- 2.7 Thou shalt: push for an early meeting with solicitor and counsel.
- 2.8 Thou shalt **not:** rely on your fame (if you are a well-known name): do the necessary work.
- 2.9 Thou shalt **not:** be over-optimistic in your initial report.
- 2.10 Thou shalt **not:** do anything which will cause counsel to look a 'wally'.



Buyer Be Aware

... or the Seller be aware

Supreme Court rules that experts have no immunity from suit

The UK Supreme Court has ruled, by a majority, that expert witnesses can be sued if their negligence has caused harm to the party who instructed them.

Until now (with some minor exceptions), experts have had immunity from suit in respect of both the contents of their expert reports and their performance in the witness box. Advocates had long enjoyed a similar immunity.

However, **in 2001, the House of Lords abolished their immunity on the ground that it could no longer be justified.**

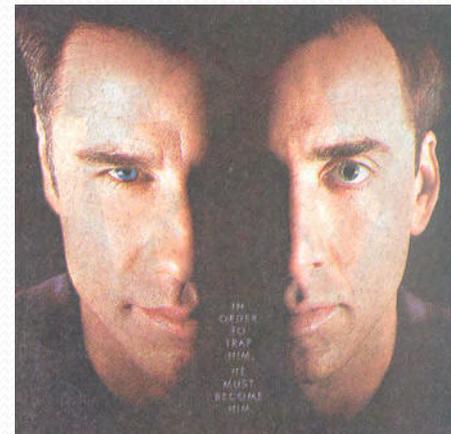
Since then, some have questioned the need for experts continuing to do so. Now at last, in *Jones v Kaney*, the UK's highest court has had the opportunity to revisit the issue.

Judge Mimmie Chan (Nov 2009)

- ... It is a dereliction of the experts' paramount and overriding duty to help the Court impartially and independently on matters relevant to the experts' area of purported expertise - a duty which is highlighted in paragraph 2 of the Code.
- **If experts are not prepared to assume such a general duty to the Court, or if they regard such duty to be too onerous, then they should not accept instructions to act.**

(n) The Ultimate Test

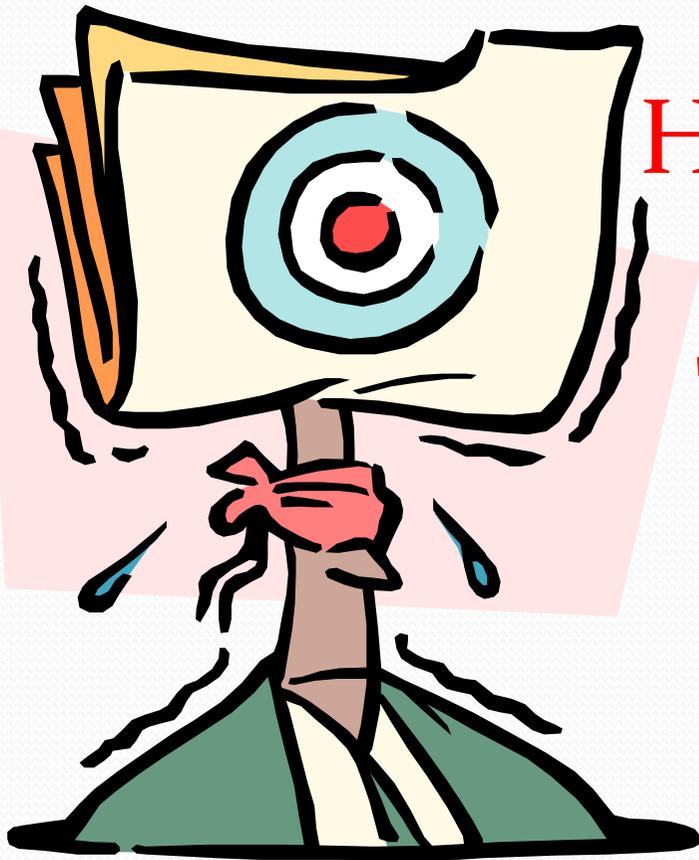
... will your report remain unchanged if you are acting for the other party ?



All matters are
either square
or rounded ...
to one party or
to the other ...



QUESTION AND RESPONSE



HOW DARE YOU
CLAIM YOURSELF
TO THE X-BIRD ?

