Registered number: 03317333

The Expert Witness Institute (A company limited by guarantee)

Annual report and financial statements

For the year ended 31 October 2019

Company Information

President

The Rt. Hon Lord Kerr of Tonaghmore

Directors

Sir Martin Spencer (Chair)

Mr Christopher Easton, FRICS, MBEng

Mr Allen Hirson, MA

Miss Kay Linnell, FCA, MBA, FCIArb, FEWI

Mr Alexander Mackay BArch, RIBA

Mrs Amanda Stevens

Dr Thomas Walford MEWI, MCIArb, CEng, MIMechE, MIET

Mr Richard Porter MSc, FRCOG Mr Michael Anthony Pilgrem

Company secretary

Miss Kay Linnell, FCA, MBA, FCIArb, FEWI

Registered number

03317333

Registered office

159-161 Temple Chambers

3-7 Temple Avenue

London EC4Y 0DA

Accountants

Kreston Reeves LLP

Chartered Accountants

Montague Place

Quayside

Chatham Maritime

Chatham Kent ME4 4QU

Bankers

Coutts & Co 440 Strand London WC2R 0QS

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Chairman's statement For the year ended 31 October 2019

The chairman presents his statement for the period.

It has been another busy year for the Institute as a number of our initiatives have been delivered or further developed. In January 2019, we said farewell to EWI CEO Christine Scott, who resigned for pastures new. However, in May 2019, we welcome new Executive Manager, Simon Berney-Edwards, who has made a significant impact in delivering our objectives.

In September 2019, the Board adopted a new Interim Strategy to provide the organisation with focus ahead of the development of a new 5-year Strategic Plan which we aim to launch at the 2020 Annual Conference. The four strategic objectives are to:

- 1. Enhance our impact by growing membership
- 2. Support the development and improve the quality of experts within the community
- 3. Advocate on behalf of the Expert Witness community
- 4. Provide an excellent, sustainable and effective membership body

The rest of this report is structured using these headings to demonstrate how our activities have contributed to our strategic objectives.

Enhance our impact by growing membership

In July 2019, EWI launched its new Corporate Membership scheme. The new scheme, which is open to any organisation which employs or manages a panel of experts, seeks to recognise those organisations which ensure the quality of their experts; ensuring they are appropriately qualified and encouraging staff or panel members to develop their skills as an expert witness. A key feature of the scheme is the provision of a discount for staff or panel members on their membership subscription. All current Corporate Members are in the process of transferring to the new style Corporate Membership and applications from new organisations have already been received. This is expected to deliver a significant uplift in Members in the first half of 2019/20.

In October 2019, EWI and EWI Singapore signed off the Service Level Agreement for the delivery of the branch in Singapore. The new branch will begin accepting applications from November 2019.

The EWI continues to use news content, training and events as a way of attracting new members to the Institute.

Support the development and improve the quality of experts within the community

Despite a difficult start to the year where a number of events needed to be cancelled due to low delegate numbers, the institute ran 20 events with 278 delegates in 2018/29 compared to 13 events with 213 delegates in the previous year. This included a successful conference in September with keynote speaker Lord Neuberger.

In addition, EWI Singapore also ran a conference in October attracting 85 delegates.

In response to concern from members that training was very London-centric, the Institute trialled changing the evening seminar series to an evening webinar series. This has been received extremely well and is now ensuring that the EWI is providing affordable and accessible training for all members regardless of their location.

EWI has also finalised and launched its Certification scheme and is continuing to market this opportunity to members.

Chairman's statement For the year ended 31 October 2019

Advocate on behalf of the Expert Witness community

EWI continues to seek opportunities to be an advocate on behalf of the Expert Witness community. In May 2019, the EWI publicly responded to the Andrew Ager case, using this as an opportunity to highlight the importance of properly trained and vetted Experts and to promote the new Certification scheme.

The EWI worked with The Academy of Experts to submit a response to the CJC Clinical Negligence Working Groups draft report.

The EWI is also represented on the Forensic Science Regulator Quality Standards Group to ensure the voice of Experts are heard.

Provide an excellent, sustainable and effective membership body

The new website went live at the end of January 2019 and despite some initial teething problems has proved an excellent vehicle for promoting the EWI and its brand.

Unfortunately, our Customer Relationship Management Supplier TSG announced in July 2019 that they will be withdrawing out Membership System from early 2021. This has forced the EWI to source an alternative supplier and begin work to prepare to move to a new system in 2020. However, the Institute will be using this as an opportunity to make further improvements to streamline back office operations and make further improvements to the website. This has put an unexpected and sudden call on member's reserves which the Board is addressing.

As previously highlighted, due to pressure of other commitments, Lynden Alexander and Dr John Sorabji stepped down from the Board in December 2018 and January 2019 respectively. Roger Clements also stepped down from the Board in October 2019. I would like to thank them all for their invaluable service and good counsel over their time on the board. We are pleased to welcome Ms Saba Nagshbandi who was co-opted onto the Board of Governors in September 2019. Saba was called to the Bar in 1996 and practises from Three Raymond Buildings. She is a commercial crime, health and safety, inquests and inquiries specialist with a recognised reputation whose advice is sought both nationally and internationally.

It has never been more important to have a credible voice for expert witnesses, highlighting the critical role they play in our justice system. I believe the EWI does, and will increasingly, play a significant role in championing the best interests of our members and their contribution. I encourage you to engage with your Institute and take advantage of all it has to offer.

Name

Sir Martin Spencer (Chair)

27 April 2020

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Chairman

Date

Strategic report For the year ended 31 October 2019

Results for the Year Ended 31 October 2019

Turnover for 2019 increased to £256,114, compared to £247,019 for the previous year principally arising from a small increase in membership income.

Interest received and similar income was made up of interest that in 2019 was £261, compared to £1,661 in the previous year, reflecting the reduction in reserves and pursuing the ongoing investment policy of holding reserves as cash.

The loss after tax has decreased in the year from £151,604 in 2018 (as adjusted for the change in capitalisation of project expenditure) to a loss of £46,791 in 2019, a substantial improvement but not the break-even position budgeted for which is disappointing. Again in 2019 some of the legacy expenditure of the 20 year anniversary project expenditure has utilised the majority of our accumulated reserves. The projects should have been completed as planned but unfortunately our Customer Relationship Management Supplier TSG has withdrawn the contract going forward so unexpected further expenditure has been incurred to reinstate IT support going forward.

Total administrative expenses fell from £399,968 in 2018 to £303,116 in 2019, a decrease of £96,852, the 2018 figures have been restated due to the capitalisation of some project expenditure. Staff costs have decreased by £47,818, postage, carriage and stationery by £8,894 and legal fees by £15,491. Computer costs have increased by £11,373. Expenditure supporting the EEEi European expert initiative amounted to £2,890 and a new EWI associated company was opened in Singapore with a net investment to date of £22,908. Other cost increases were in line with inflation.

Courses and events contributed a net £12,164 in 2019 compared to a net £5,726 in 2018.

The capitalisation of further computer expenditure totalling £14,150 being written off in a 3 year straight line provision has caused the increase in depreciation and it is expected that other expenses will revert to normal levels during 2021.

We remain committed to increasing the standard of expert judicial evidence worldwide, promoting best practice and ensuring that the highest standards are maintained.

Strategic report (continued) For the year ended 31 October 2019

Financial position and resources

The Institute's accumulated capital and reserves have decreased from £52,773 as at 31 October 2018 to £5,982 as at 31 October 2019. This decrease reflects the Board planned expenditure on the EWI 20th Anniversary projects including establishing a presence in developing expert witness markets in different jurisdictions and its investment in technology aimed at enhancing member support, the EWI website, the Accreditation Scheme and Certification Programme that the Board consider will benefit current and future members. Work on these anniversary projects has stopped due to the unexpected call for further funding of the IT business support systems

The level of capital and reserves is, in the opinion of the Board, no longer adequate for the total planned projects and to maintain a reserve fund equivalent to half of the normal annual administrative costs, equating to approximately £150,000. Some projects such as the refurbishment of the EWI offices to provide training facilities have been put on hold until initiatives to increase membership and course income have been actioned and it is unlikely that any further project expenditure that is not already committed will be approved before 2021.

The Institute remains totally self-financing, principally financed by membership income without the receipt of any grants or subsidies to service its members.

The Board is aware of the challenging demands on cash resources and is of the opinion that calls on members and in future increased subscriptions will be necessary to provide the required funds to continue operating. The Board is aware that the Institute is vulnerable to future cost increases, especially in maintaining IT membership database support systems and cash flow difficulties have been experienced in the past year as member subscriptions have not increased sufficiently over the last decade. The Board notes that, if the need arose, the Institute could either make a further call for additional subscriptions from its members or, in extremis, cease trading. With limited exceptions, the costs of the Institute's activities are funded entirely by cash contributions from its members. The Board considers that, in the event the Institute ceased trading, it would not have any, or any material, liabilities to its members.

During the past year several Governors provided short term unsecured interest free loans to deal with cash flow difficulties. All the Governors were subsequently repaid. The Board continues to keep the current financial situation and cash flow requirements of running the EWI office under close review.

This report was approved by the board on 17th April 2020

and signed on its behalf.

Miss Kay Linnell, FCA, MBA, FCIArb, FEWI Secretary

Directors' report For the year ended 31 October 2019

The directors present their report and the financial statements for the year ended 31 October 2019.

Principal activity

The Institute's activities are directed towards the achievement of its objects, which are the support of the proper administration of justice and the early resolution of disputes through fair and unbiased expert evidence. To this end major priorities are the provision of training and the dissemination of information to members to maintain and enhance the standards and status of experts.

Directors

The directors who served during the year were:

Sir Martin Spencer (Chair)
Mr Roger Clements, FRCS, FRCOG, FEWI (resigned 23 October 2019)
Mr Christopher Easton, FRICS, MBEng
Mr Allen Hirson, MA
Miss Kay Linnell, FCA, MBA, FCIArb, FEWI
Mr Alexander Mackay BArch, RIBA
Mrs Amanda Stevens
Dr Thomas Walford MEWI, MCIArb, CEng, MIMechE, MIET
Mr Richard Porter MSc, FRCOG
Dr John Sorabji (resigned 22 January 2019)
Mr Michael Anthony Pilgrem
Mr Lynden Robert Alexander (resigned 28 December 2018)

Small companies note

In preparing this report, the directors have taken advantage of the small companies exemptions provided by section 415A of the Companies Act 2006.

This report was approved by the board on

Martin Spencer

17th April 2020

and signed on its behalf.

Sir Martin Spencer (Chair)

Director

Directors' responsibilities statement For the year ended 31 October 2019

We confirm that as directors we have met our duty in accordance with the Companies Act 2006 to:

- ensure that the Company has kept adequate accounting records;
- prepare financial statements which give a true and fair view of the state of affairs of the Company as at 31
 October 2019 and of profit and loss for that period in accordance with Generally Accepted Accounting
 Practice in the UK; and
- follow the applicable accounting policies, subject to any material departures disclosed and explained in the notes to the financial statements.

The Directors' responsibilities statement was approved by the board on 17" April 2020 and signed on its behalf.

Sir Martin Spencer (Chair)

Director

Independent chartered accountants' review report to the directors of The Expert Witness Institute For the year ended 31 October 2019

We have reviewed the financial statements of The Expert Witness Institute for the year ended 31 October 2019, which comprise the Profit and loss account, the Balance sheet and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

This report is made solely to the Company's directors, as a body, in accordance with the terms of our engagement letter dated 8 August 2018. Our review has been undertaken so that we might state to the Company's directors those matters that we have agreed with them in our engagement letter and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Company and the Company's directors, as a body, for our work, for this report or the conclusions we have formed.

Directors' Responsibility for the Financial Statements

As explained more fully in the Directors' responsibilities statement, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view.

Accountants' Responsibility

Our responsibility is to express a conclusion based on our review of the financial statements. We conducted our review in accordance with International Standard on Review Engagements (ISRE) 2400 (Revised), 'Engagements to review historical financial statements' and ICAEW Technical Release TECH 09/13AAF (Revised) 'Assurance review engagements on historical financial statements'. ISRE 2400 (Revised) requires us to conclude whether anything has come to our attention that causes us to believe that the financial statements, taken as a whole, are not prepared, in all material respects. ISRE 2400 (Revised) also requires us to comply with the ICAEW Code of Ethics.

Scope of the Assurance Review

A review of the financial statements in accordance with ISRE 2400 (Revised) is a limited assurance engagement. We have performed additional procedures to those required under a compilation engagement. These primarily consist of making enquiries of management and others within the entity, as appropriate, applying analytical procedures and evaluating the evidence obtained. The procedures performed in a review are substantially less than those performed in an audit conducted in accordance with International Standards on Auditing (UK and Ireland). Accordingly, we do not express an audit opinion on these financial statements.

Independent chartered accountants' review report to the directors of The Expert Witness Institute (continued) For the year ended 31 October 2019

Conclusion

Based on our review, nothing has come to our attention that causes us to believe that the financial statements have not been prepared:

- so as to give a true and fair view of the state of the Company's affairs as at 31 October 2019, and of its loss for the year then ended;
- in accordance with United Kingdom Generally Accepted Accounting Practice; and
- in accordance with the requirements of the Companies Act 2006.

Kreston Reeves LLP

Chartered Accountants Chatham Maritime

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Statement of income and retained earnings For the year ended 31 October 2019

	2019 £	As restated 2018
	_	-
Turnover	256,114	247,019
Gross profit	256,114	247,019
Administrative expenses	(303,116)	(399,968)
Operating loss	(47,002)	(152,949)
Interest receivable and similar income	261	1,661
Loss before tax	(46,741)	(151,288)
Tax on loss	(50)	(316)
Loss after tax	(46,791)	(151,604)
		,
Retained earnings at the beginning of the year	52,773	204,377
	52,773	204,377
Loss for the year	(46,791)	(151,604)
Retained earnings at the end of the year	5,982	52,773
The notes on pages 11 to 16 form part of these financial statements.		

The Expert Witness Institute (A company limited by guarantee) Registered number: 03317333

Balance sheet As at 31 October 2019

Note		2019 £		As restated 2018 £
		•		
4		24,094		29,521
	_	24,094	,	29,521
5	183,305		27,960	
_	25,981	_	109,238	
-	209,286		137,198	
6	(227,398)		(113,946)	
		(18,112)		23,252
		5,982	,	52,773
	-	5,982	٠.	52,773
		5,982		52,773
	_	5,982	;	52,773
	5	5 183,305 25,981 209,286	Note £ 4	Note £ 4

The directors consider that the Company is entitled to exemption from audit under section 477 of the Companies Act 2006 and members have not required the Company to obtain an audit for the year in question in accordance with section 476 of Companies Act 2006.

The directors acknowledge their responsibilities for complying with the requirements of the Companies Act 2006 with respect to accounting records and the preparation of financial statements.

The financial statements have been prepared in accordance with the provisions applicable to companies subject to the small companies regime and in accordance with the provisions of FRS 102 Section 1A - small entities.

The financial statements were approved and authorised for issue by the board and were signed on its behalf on 17 April 2020

Sir Martin Spencer (Chair)
Director

Miss Kay Linnell, FCA, MBA, FCIArb, FEWI Director

The notes on pages 11 to 16 form part of these financial statements.

Notes to the financial statements For the year ended 31 October 2019

1. General information

The Expert Witness Institute is a private company limited by guarantee, and is incorporated in England and Wales with the registration number 03317333. The address of the registered office is 159-161 Temple Chambers, 3-7 Temple Avenue, London, EC4Y 0DA.

2. Accounting policies

2.1 Basis of preparation of financial statements

The financial statements have been prepared under the historical cost convention unless otherwise specified within these accounting policies and in accordance with Section 1A of Financial Reporting Standard 102, the Financial Reporting Standard applicable in the UK and the Republic of Ireland and the Companies Act 2006.

The following principal accounting policies have been applied:

2.2 Going concern

The Directors assess whether the use of the going concern assumption is appropriate. The Company is deemed a going concern unless the Directors intend to liquidate the Company or cease its trading, or they have no realistic alternative but to do so. The Directors also consider if they are aware of material uncertainties related to events or conditions that may cast significant doubt on the ability of the Company to continue as a going concern. The Directors make this assessment in respect of a period of at least one year from the date of authorisation for issue of the financial statements.

The Directors have concluded that the use of the going concern assumption is appropriate.

In making that assessment, the Directors are aware of the following material uncertainties.

- (a) The annual costs of the Company's activities do not vary significantly as the number of members increases or reduces. With the primary exception of fees paid by third parties for access to its courses and events, the Company depends entirely on cash contributions from its members in order to fund the costs of its activities. Those contributions, principally in the form of annual subscriptions, are recognised as turnover in the Company's statement of income. During the years ended 31 October 2017 to 2019, the Company's annual expenditure on administration and tangible fixed assets has exceeded its turnover, with a consequent fall in the amount of cash at bank and in hand. Subsequent to 31 October 2019, the Company asked members to make an additional contribution to the Company (see Note 10) and it anticipates that, unless the number of members increases sufficiently, the annual subscription rates for the year ending 31 October 2021 will be higher than that for the year ending 31 October 2020. In the event that the Company's existing members are not willing, in aggregate, to make annual contributions sufficient to cover the costs of the Company's activities, the Directors may have no realistic alternative but to cause the Company to cease trading.
- (b) Since early 2020, the consequences of the COVID-19 public health emergencies in the UK and overseas have affected the Company and its employees, members, suppliers and other counterparties. In the UK, the Company's activities have been disrupted and its ability to provide courses and events has been reduced. How the pandemic will develop is unknown. It is not possible to estimate reliably its consequences or their effect on the financial position and performance of the Company.

Notes to the financial statements For the year ended 31 October 2019

2. Accounting policies (continued)

2.3 Revenue

Revenue is recognised to the extent that it is probable that the economic benefits will flow to the Company and the revenue can be reliably measured. Revenue is measured as the fair value of the consideration received or receivable, excluding discounts, rebates, value added tax and other sales taxes. The following criteria must also be met before revenue is recognised:

Rendering of services

Revenue from a contract to provide services is recognised in the period in which the services are provided in accordance with the stage of completion of the contract when all of the following conditions are satisfied:

- the amount of revenue can be measured reliably;
- it is probable that the Company will receive the consideration due under the contract;
- the stage of completion of the contract at the end of the reporting period can be measured reliably; and
- the costs incurred and the costs to complete the contract can be measured reliably.

2.4 Interest income

Interest income is recognised in the Statement of income and retained earnings using the effective interest method.

2.5 Borrowing costs

All borrowing costs are recognised in the Statement of income and retained earnings in the year in which they are incurred.

2.6 Pensions

Defined contribution pension plan

The Company operates a defined contribution plan for its employees. A defined contribution plan is a pension plan under which the Company pays fixed contributions into a separate entity. Once the contributions have been paid the Company has no further payment obligations.

The contributions are recognised as an expense in the Statement of income and retained earnings when they fall due. Amounts not paid are shown in accruals as a liability in the Balance sheet. The assets of the plan are held separately from the Company in independently administered funds.

2.7 Taxation

The tax expense represents the sum of the tax currently payable.

The company has obtained exemption in respect of corporation tax relating to surpluses earned from operating activities. Corporation tax is payable on any interest income received.

Notes to the financial statements For the year ended 31 October 2019

2. Accounting policies (continued)

2.8 Tangible fixed assets

Tangible fixed assets under the cost model are stated at historical cost less accumulated depreciation and any accumulated impairment losses. Historical cost includes expenditure that is directly attributable to bringing the asset to the location and condition necessary for it to be capable of operating in the manner intended by management.

Depreciation is charged so as to allocate the cost of assets less their residual value over their estimated useful lives, using the straight-line method.

Depreciation is provided on the following basis:

Fixtures and fittings - 33% straight-line basis
Website - 33% straight-line basis

The assets' residual values, useful lives and depreciation methods are reviewed, and adjusted prospectively if appropriate, or if there is an indication of a significant change since the last reporting date.

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount and are recognised in the Statement of income and retained earnings.

2.9 Debtors

Short term debtors are measured at transaction price, less any impairment. Loans receivable are measured initially at fair value, net of transaction costs, and are measured subsequently at amortised cost using the effective interest method, less any impairment.

2.10 Cash and cash equivalents

Cash is represented by cash in hand and deposits with financial institutions repayable without penalty on notice of not more than 24 hours. Cash equivalents are highly liquid investments that mature in no more than three months from the date of acquisition and that are readily convertible to known amounts of cash with insignificant risk of change in value.

2.11 Creditors

Short term creditors are measured at the transaction price. Other financial liabilities, including bank loans, are measured initially at fair value, net of transaction costs, and are measured subsequently at amortised cost using the effective interest method.

2.12 Financial instruments

The Company only enters into basic financial instrument transactions that result in the recognition of financial assets and liabilities like trade and other debtors and creditors, loans from banks and other third parties, loans to related parties and investments in ordinary shares.

3. Employees

The average monthly number of employees, including directors, during the year was 4 (2018 - 4).

Notes to the financial statements For the year ended 31 October 2019

4. Tangible fixed assets

5.

	Fixtures and fittings £	Website £	Total £
Cost or valuation			
At 1 November 2018	13,701	43,105	56,806
Additions	-	14,150	14,150
Disposals	(360)	-	(360)
At 31 October 2019	13,341	57,255	70,596
Depreciation			
At 1 November 2018	12,917	14,368	27,285
Charge for the year on owned assets	492	19,085	19,577
Disposals	(360)	-	(360)
At 31 October 2019	13,049	33,453	46,502
Net book value			
At 31 October 2019	292	23,802	24,094
At 31 October 2018	784	28,737	29,521
Debtors			
	•	2019 £	As restated 2018 £
Trade debtors		144,425	7,248
Other debtors		2,048	-
Prepayments and accrued income		36,832	20,712
		183,305	27,960
		·	

Notes to the financial statements For the year ended 31 October 2019

6. Creditors: Amounts falling due within one year

	2019	2018
	£	£
Loans from Directors	8,660	-
Trade creditors	4,703	43,460
Corporation tax	50	316
Other taxation and social security	2,877	4,510
Other creditors	4,485	4,956
Accruals and deferred income	206,623	60,704
	227,398	113,946

During the year ended 31 October 2019, the Company borrowed £23,660 in total from five Directors. The loans were interest-free and unsecured. £15,000 was repaid by 31 October 2019 and the balance repaid subsequently.

7. Company status

The Company is a private company limited by guarantee and consequently does not have share capital. Each of the members is liable to contribute an amount not exceeding £1 towards the assets of the Company in the event of liquidation.

8. Prior year adjustment

The prior year adjustments made in these financial statements relate to the costs paid in advance by the company, in respect of the setting up of the new accreditation system and the new branch in Singapore. The effect of these adjustments is as follows:

2016/17:

To increase prepayments by £773 and increase reserves by £773.

2017/18:

To increase prepayments by a further £10,431, in addition to the £773 adjustment in the 2016/17 financial year, which in total increases reserves by £11,204.

Notes to the financial statements For the year ended 31 October 2019

9. Commitments under operating leases

At 31 October 2019 the Company had future minimum lease payments under non-cancellable operating leases as follows:

	2019 £	2018 £
Not later than 1 year	29,155	29,155
Later than 1 year and not later than 5 years	60,740	89,895
	89,895	119,050

10. Post balance sheet events

- (a) On 4 March 2020 and subsequently, the Company asked existing members to make a contribution to the Company, in addition to the annual subscriptions due by 1 November 2019. As at 13 April 2020, this call for funds was still open with a total of £19,010 additional contributions received from members and a further £7,585 committed subject to conditions. These will be treated as additional subscriptions from members.
- (b) Since early 2020, the consequences of the COVID-19 public health emergencies in the UK and overseas have affected the Company and its employees, members, suppliers and other counterparties. The Company has determined that these events are non-adjusting subsequent events. Accordingly, the financial position and performance as of and for the year ended 31 October 2019 have not been adjusted to reflect their effect. How the COVID-19 pandemic will develop is unknown. It is not possible to estimate reliably its consequences or their effect on the financial position and performance of the Company for future periods.