

ADJUDICATION REPORTING CENTRE



RESEARCH ANALYSIS OF THE PROGRESS OF ADJUDICATION BASED ON
RETURNED QUESTIONNAIRES FROM ADJUDICATOR NOMINATING
BODIES (ANBs) AND ON QUESTIONNAIRES RETURNED BY
ADJUDICATORS

REPORT No 7

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INTRODUCTION

This Adjudication Reporting Centre (ARC) Report considers both the trends in the number of adjudicators and the number of adjudication nominations up to the end of February 2004 and secondly the results of a third survey of adjudicators which provides a detailed insight into the disputes and the adjudication process between November 2002 and July 2004. This survey of adjudicators contained a sample size of 31 adjudicators who over the period conducted 326 adjudications.

FEEDBACK FROM THE ADJUDICATOR NOMINATING BODIES

Number of Adjudicators

ADJUDICATOR NOMINATING BODY	May 2002	October 2002	April 2003	February 2004
Academy of Independent Construction Adjudicators	194	194	176	150
Chartered Institute of Arbitrators	147	Not reported	Not reported	164
Confederation of Construction Specialist	25	24	14	21
Construction Industry Council	170	144	149	154
Institution of Chemical Engineers	Not reported	6	13	13
Institution of Civil Engineers	80	82	87	84
Royal Institute of British Architects	70	69	69	68
Royal Institution of Chartered Surveyors	107	116	117	122
3A's Polycon AIMS Ltd	33	Not reported	54	Not reported
Institution of Mechanical Engineers	Not reported	Not reported	Not reported	Not reported
Chartered Institute of Building	53	52	50	53
Construction Confederation	43	43	43	43
Scottish Building	12	12	12	12
Royal Incorporation of Architects in Scotland	14	14	14	14
Royal Institution of Chartered Surveyors in Scotland	47	45	35	38
Centre for Dispute Resolution	48	46	Not reported	40
Institution of Electrical Engineers	Not reported	Not reported	Not reported	Not reported
Technology and Construction Solicitors Association	128	128	128	149
Chartered Institute of Arbitrators (Scottish Branch)	22	17	17	17
The Law Society of Scotland	10	11	13	16
Technology and Construction Bar Association	Not reported	Not reported	Not reported	Not reported
Adjudication.co.uk	Not reported	7	7	Not reported
TOTALS	1203	1010	998	1158

Table 1 – Number of Adjudicators

As Table 1 shows there has been some fluctuation over the period covered but there appears to have been no significant change in the numbers of adjudicators available for nomination since the spring of 2002. There are a few ANBs who have not reported over the period and this non-reporting may account, in part, for the variations. There continues to be some movement as some ANBs increase in numbers whilst others decrease. This may be due to new adjudicators entering the sector (as appears to be the case with the Technology and Construction Solicitors Association) or adjudicators migrating to other ANBs. Of the sample of adjudicators who contributed to this study the average number of ANBs with whom they were listed was 2.63 which is a little over the figure established by an earlier report (No 2 in 2000) when it was found to be 2.23 ANBs on average.

Skill Base of Adjudicators

The ANBs were asked to state the principal area of expertise of their adjudicators. The results over this time period are consistent with previous years with the top 5 rankings remaining unchanged, Quantity Surveyor, Lawyer, Civil Engineer, Architect then Chartered Builder.

DISCIPLIN	Oct-		Apr-03		Feb-	
	No	%	No	%	No	%
Quantity Surveying	450	39.1	417	43.8	500	41.6
Lawyers	252	21.9	210	22.1	260	21.6
Civil engineers	199	17.3	126	13.2	133	11.1
Architect	102	8.9	97	10.2	112	9.3
CIOB/Builder	39	3.4	25	2.6	62	5.2
Construction Consultants	4	0.3	9	0.9	49	4.1
Structural Engineers	39	3.4	8	0.8	26	2.2
Other (unclassified by ANB)		0.0		0.0	18	1.5
Building	19	1.7	13	1.4	12	1.0
Solicitor		0.0		0.0	12	1.0
Mechanical	9	0.8	5	0.5	5	0.4
Chemical Engineers	6	0.5	11	1.2	3	0.2
Planner	0	0.0	0	0.0	2	0.2
Projects managers	3	0.3	3	0.3	2	0.2
QC	1	0.1	1	0.1	1	0.1
Gas	0	0.0	1	0.1	1	0.1
Independent mediator	0	0.0%		0.0	1	0.1%
Chartered Loss Adjuster		0.0%		0.0%	1	0.1%
Accountant		0.0		0.0	1	0.1%
Project Engineers	2	0.2%	1	0.1%	0	0.0%
Electrical Engineers	3	0.3%	1	0.1	0	0.0%
Geotechnical Engineers	13	1.1%	23	2.4	0	0.0
Human Relations/Industrial Psychologist	8	0.7	0	0.0		0.0
Chartered Surveyors	0	0.0%	1	0.1		0.0
Engineer	1	0.1		0.0		0.0

Table 2 – Primary discipline of adjudicators (as stated by the ANBs)

There is the appearance of changes in the proportions of each profession in the table above. These statistics are based on information given by the ANBs, some of whom do not provide a breakdown of the professions to which their members belong and some who do not report at all. There is also an element of double counting. An adjudicator may be registered with three ANBs and consequently will be included in three sets of results (assuming that all ANBs report). Given the realignment of adjudicators indicated in Table 1 above, there appear to be some movement of adjudicators between ANBs, or it may be that people are exiting the adjudication business and others are entering the business or attaching themselves to more panels. From previous returns it can be estimated that civil engineers are under-recorded by up to 80 and that lawyers are under-represented by virtue of one lawyer-based ANB (Technology and Construction Bar Association) not reporting. The amount under-reported in the latter case is unknown.

This information comes directly from ANBs who in turn gather the information from the adjudicators on their lists. This means that some of the job titles used could well overlap (e.g. lawyer/solicitor, geotechnical engineer/civil engineers).

Trends in Adjudication

The number of adjudications has continued to grow since Report No 3 but this growth is starting to level off. Table 3 shows the year on year growth since the start of statutory adjudication in May 1998. These figures represent all ANBs who have reported to the centre. It should be noted that the pattern of reporting by some ANBs has been patchy - some ANBs started reporting some time after the study commenced and a few have stopped reporting. Some have reported on only part of the questionnaire and the reporting pattern of some is sporadic. However the data shows that the year on year growth rate of all reported ANB adjudications has reduced considerably from 600% in year 2 to 50% in year 3. They appeared to have levelled off with a slight increase of 1% in year 4 followed but a similar decrease in year 5. Year 6 (10 months) indicates a drop of 6%. These figures are based on raw data and have to be viewed in that light. It is important to

distinguish between adjudications appointed through ANBs and all adjudications which include other means of appointment. See later.

TIME PERIODS	ALL ANBs REPORTING	% GROWTH
YEAR 1 - May 1998 - April 1999	187	
YEAR 2 - May 1999 - April 2000	1309	600%
YEAR 3 - May 2000 - April 2001	1999	50%
YEAR 4 - May 2001 - April 2002	2027	1%
YEAR 5 - May 2002 - April 2003	2008	-1%
YEAR 6 - May 2003 - Feb 2004 (10 months)	1566	-6%

Table 3 – Adjudications by all reporting ANBs

In this table the Centre seeks to provide reliable information on the underlying trends. Initially we used only those ANBs which had provided us with data from the inception on adjudication in 1998; however this excludes those ANBs which entered the market at a later stage and those which started to return data to the centre after this point. The centre believes that a more representative measure of consistency - year on year - is to include all of those ANBs which provide data in both time periods. As the number of ANBs who provide data on a reliable basis increases, the 'Consistently Reporting' figure moves closer to the 'All ANBs' figure leaving only a few smaller ANBs who report only sporadically.

TIME PERIODS	ANBs CONSISTENTLY REPORTING	% GROWTH
YEAR 1 - May 1998 - April 1999	187	-
YEAR 2 - May 1999 - April 2000	1156	518%
YEAR 3 - May 2000 - April 2001	1869	62%
YEAR 4 - May 2001 - April 2002	1924	3%
YEAR 5 - May 2002 - April 2003	1990	3%
YEAR 6 - May 2003 - Feb 2004 (10 months)	1564	-6%

Table 4 – Adjudications by consistently reporting ANBs

It is undoubtedly the case that the number of adjudications being dealt with by ANBs has reached a plateau and may be levelling-off. There is still some fluctuation in the workload of certain ANBs

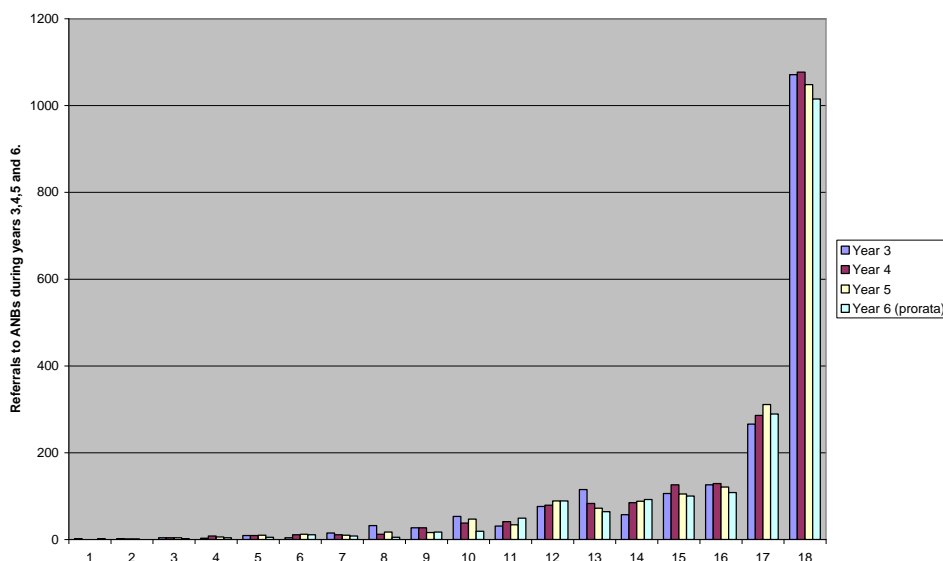


Figure 1 - Variations in adjudication referrals of the reporting ANBs between years 3, 4, 5 and 6

but, as Figure 1 indicates, some ANBs have experienced fluctuation in the demand for their services. Figure 1 shows, these have little impact on the global situation which is dominated by a few very large providers of adjudication services.

Not all adjudicators are appointed through ANBs however as the survey of adjudicators found. Table 5 shows the proportion of appointments by the various routes over the period and there appears to have been a decline in the number of appointments being made through ANBs – by 6.5% down from the figure in 2002. This is accompanied by an increase in adjudicators being appointed by the agreement of the parties of 6.7%. It is interesting to note that the decline in appointments through ANBs of 6.5% since 2002 is close to the decline of 7% (-1% and -6%) in ‘All ANB’ appointments and lower than the 3% (+3% and -6%) in ‘Consistently Reporting ANBs’ over the period 2002 to 2004. If this sample is representative, there would appear to be some movement away from the appointment of adjudicators through ANBs to appointments made by agreement between the parties. This may be due to a number of reasons; avoidance of the ANBs’ fees, growing trust by parties (experienced in adjudication) and/or their representatives in particular adjudicators or reduction in the uncertainty as to who the adjudicator will be if appointed through an ANB.

Source of Appointment	April 2002	July 2004
Through an ANB	89.6%	83.1%
By agreement of the parties	9.9%	16.6%
Named in the contract	0.6%	0.3%
Total adjudications in the samples	355	326

Table 5 – Sources of appointment of adjudicators

Seasonal Effects

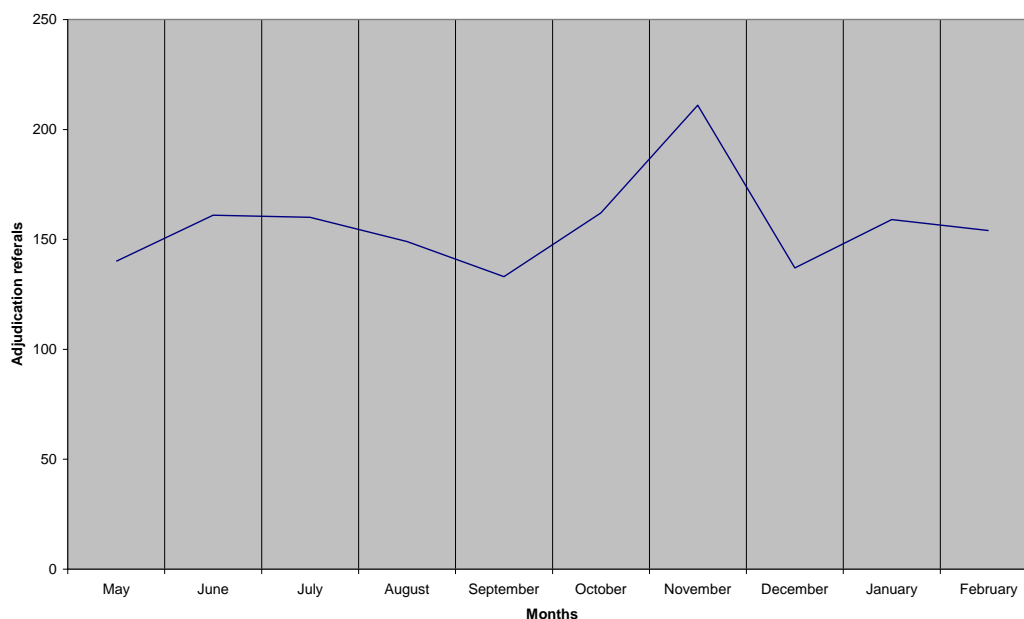


Figure 2 - Monthly referrals to adjudication in the period May 2003 to February 2004

There appears to be some consistent pattern here which supports the anecdotal evidence that 'ambushes' do occur. Since the year 2000 it has been possible to discern this pattern (previously it was not possible to see monthly peaks and troughs as there was a rapid growth in adjudication which masked the trend) and in this Centre's reports numbers 4, 5 and 6 there is clear evidence that the peak month in which ANBs are requested to nominate an adjudicator is November. This appears to be the prelude to an ambush over the Christmas holiday period. There is evidence of a rise in requests to ANBs in the spring and summer months which also coincide with holiday periods but they are more spread out which may be a result of the distributed nature of holiday time over these periods unlike the fixed location of the Christmas holiday in the UK construction industry calendar.

Monitoring of Adjudicator's Performance

The number of complaints received by the Adjudicator Nominating Bodies during the period May 2003 to February 2004 amounted to 20. This represents a dissatisfaction rate of around 1.3% which is unmoved from the previous year although 4 of these complaints were upheld by the ANBs.

Complaints Against Adjudicators	Year 4	Year 5	Year 6 (10 months)
Complaints Made	40	18	20
Complaints Upheld	7	0	4

Table 6 - Number of complaints against adjudicators

The level of complaints about adjudicators, as opposed to their decisions which may be challenged elsewhere, is very low – 1.3% (the number of complaints - 20 - divided by the number of Adjudications, 1564) as shown above (table 6), but the information set out in Table 7 suggests that the ANBs are not consistent in their Continuing Professional Development arrangements for

ensuring the ongoing quality of their adjudicators. Some ANBs appear to have quite rigorous requirements whilst others have less formally established regimes.

CPD requirements of Adjudicator Nominating Bodies

ANBs were asked to state their CPD requirements for their adjudicators to remain on their lists. This is in addition to assessments of competence they make of their adjudicators before including them on their lists initially. The results are indicated in Table 7. The identity of the ANBs is confidential but to give a measure of their relative size they are listed using their placing number as given in Figure 1.

ADJUDICATOR NOMINATING BODY (as shown in Figure 1)	Requirement to maintain a record of CPD	Nos. of hours / year	What is considered relevant CPD
18	Yes	Not fixed	Must be relevant to adjudication
17	This is likely to be addressed this year	This is likely to be addressed this year	Not answered
16	Yes	24	Acting as adjudicator advising or representing a party, pupillage. Refresher courses, attendance at workshops, studying law reports, lecturing, technical authorship, service on committees or panels
15	Yes	60 hours over 3 years; 30 hours must be directly relevant to the areas in which they received appointments	Time spent as arbitrator etc; awards writing; attendance at courses; preparation of publication of an article; lecturing / tutoring on dispute resolution; setting and marking institute exams. Decisions are monitored every 3 years
14	Yes	No set number of hours but must be appropriate to Adjudication	Seminars / reading / acting in adjudications
13	Yes	10	Not answered
12	Not answered	Not answered	Not answered
11	Yes	24	Acting as adjudicator, advising and representing a party, attending lectures, workshops, reading articles, lecturing, writing articles, papers, books, serving on committees
10	Yes	Minimum of 30 hours split (1) 10 hours practical adjudication (as adjudicator 5hrs per adjudication / acting for party 4hrs) (2) 10 hrs = formal CPD courses, seminars (3) 10 hrs private reading	Practical adjudication (adjudicator / acting for party), formal CPD + private reading
9	No	Not answered	Not answered
8	No	Not applicable	Not applicable
7	No	Not answered	Not answered
6	In relation to the CPD requirements of their professional body	Not applicable	Structured peer review, self assessment against client feedback, adjudication practice updates through seminars / courses.
5	Yes	Members to achieve 60 hours over 3 years, at least 30 directly relevant in receiving appointments	Time spent as an arbitrator, mediator, neutral or advocate, documents only awards, attendance at lectures, workshops, surgeries, attendance at other courses, preparation and publication of articles and book, lecturing and tutoring and setting and marking examinations.
4	On renewal of application to our list at 3 year intervals	No specified, (the profession) are obliged to undertake 35 hours per annum, relevant to their professional activities	Attendance at courses relevant to Dispute Resolution. Reading journals, covering adjudication cases
3	No	20	Only 3 hrs management + rest for general private study

Table 7 – Continuing Professional Development requirements of Adjudicator Nominating Bodies

FEEDBACK FROM ADJUDICATORS

The first part of this report is largely drawn from the returns from the ANBs and provides valuable data from which trends may be discerned.

This part of the report presents information (both quantitative and qualitative) collected directly from adjudicators. This report covers the period November 2002 to July 2004. The adjudicators who reported for our earlier reports were asked to complete follow-up questionnaires. Thirty-one adjudicators responded, their experience covering 326 adjudications carried out during the period. The following sets out some of the principal findings.

Who are the winners and losers?

When asked for whom they found in their adjudications the adjudicators indicated that in 65% of the cases they found for the claimant, 25% for the respondent and in 10% of cases their decision was split (as shown in Table 8).

	to Feb 2000	to Oct 2001	to May 2002	to July 2004
Claimant	66%	74%	69%	65%
Respondent	14%	17%	22%	25%
Split Decisions	20%	9%	9%	10%

Table 8 - Comparison of successful parties in adjudicators' decisions

Table 8 shows the situation since 2000 regarding to the relative success of each party. There seems to have been a gradual increase in the success rates of the responding parties at the expense of the claimants as the 'split decisions' have remained fairly static since 2001.

Subjects of the disputes

Subjects of dispute	Number	%age
Failure to comply with Payment Provisions	116	19.0%
Valuation of interim payments	93	15.2%
Valuation of Variations	92	15.0%
Valuation of Final Account	72	11.8%
Withholding monies	61	10.0%
Loss and Expense	56	9.2%
Extension of Time	47	7.7%
Defective Work	23	3.8%
Non-payment of professional fees	15	2.5%
Determination	14	2.3%
Liquidated & ascertained damages	8	1.3%
Practical Completion	3	0.5%
Contra Charges	3	0.5%
Interpretation of contract	2	0.3%
Breach of contract	2	0.3%
Professional negligence	1	0.2%
Scope of works	1	0.2%
Validity of PC certificate	1	0.2%
Head Office Overheads	1	0.2%
Extent of contractor's design liability	1	0.2%

Table 9 – Subjects of the disputes

Payment, not unexpectedly, is still the main subject of dispute. The format of this questionnaire was subdivided to gain more detail on the subjects. Payment and valuation issues are still the predominant subjects of the disputes, followed closely by those of loss and expense and extensions of time. Table 9 above contains all the subjects of dispute in the sample and it is interesting to note the remaining areas which include various contractual disputes. It is the case when reporting these that adjudicators may include several aspects of each of the above in an adjudication. In other words they may be several dimensions to the dispute covering more than one of the headings above.

Amounts of money involved in dispute

The amounts of money involved in the adjudications are shown below. This figure shows that, for the third survey in succession the value group of £10,000 to £50,000 is the most popular but in this case – only just. The group £50,000 to £100,000 is on the increase as is the group £250,000 to £500,000. It is not a consistent trend over all value groups but there is suggestion of a reduction in the small value disputes and an increase in the larger value disputes.

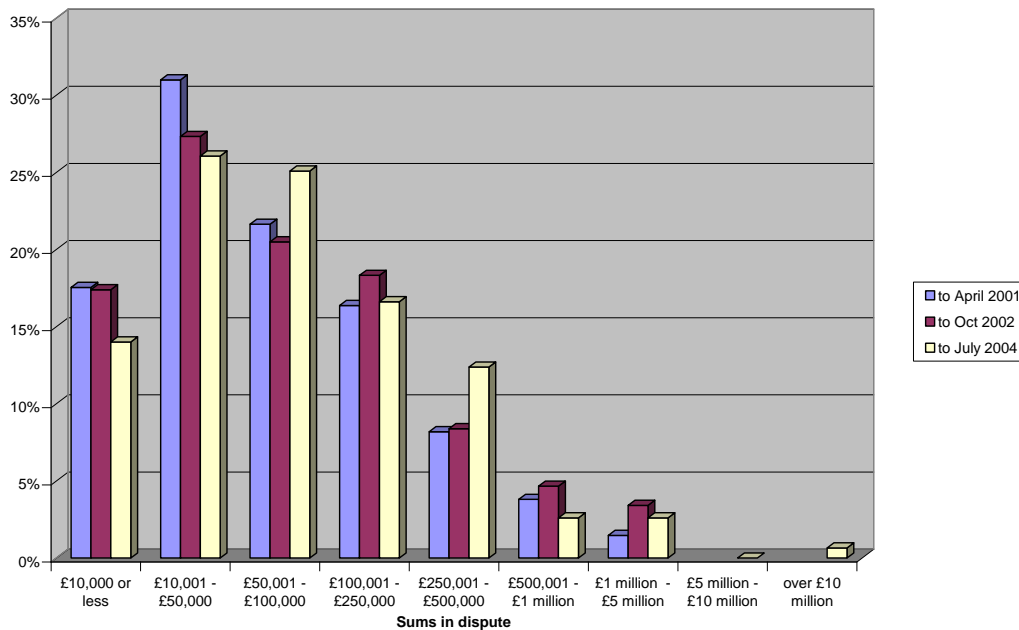


Figure 3 – Proportion of adjudications in each value group

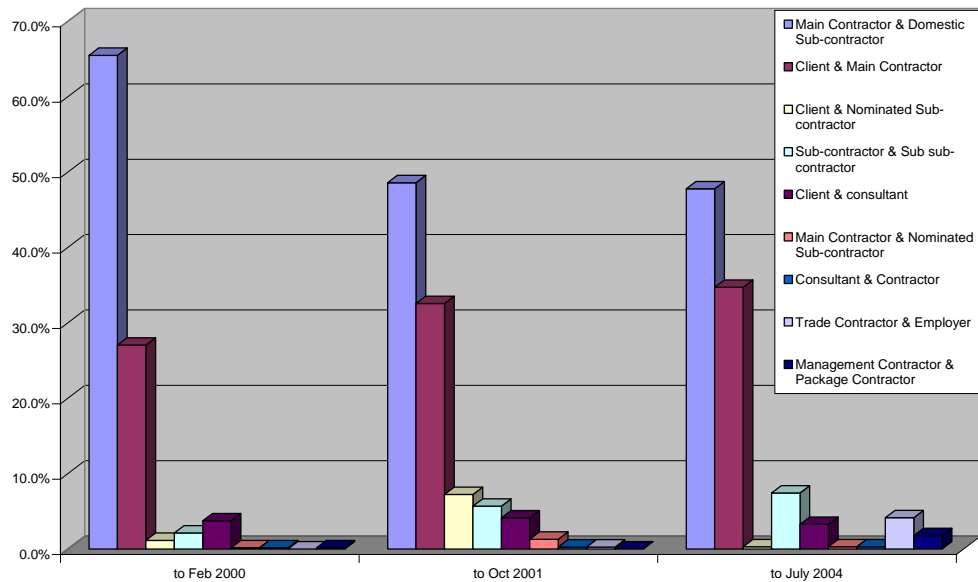


Figure 4 – Parties in dispute

The most striking trends with regard to the disputing parties are;

- The continued decline (if only slightly) in the proportion of disputes involving the main contractor and subcontractor
- The rise of the client and main contractor as disputing parties
- The virtual disappearance of the client and nominated subcontractor as disputing parties
- The rise in the proportion of subcontractor against sub-subcontractor disputes
- The emergence of the client and trade contractor disputes and management contractor and works package contractor disputes.

Some of these changes could be the result of changes in popularity of procurement systems with the increased use of Construction Management, Management Contracting and also the rise in Design and Build Contracts.

Challenges to the appointment of the adjudicator

Challenges to the appointment of adjudicators	No
No dispute existed at time of referral	40
Lack of jurisdiction	18
Previously decided	14
No contract in writing	8
Wrong nomination	6
Difference between notice & referral	3
Wrong name of respondent	3
Alleged conflicts of interest	2
Without prejudice correspondence disclosed	2
Breached natural justice	2
Dispute being from another jurisdiction	1
No contract	1
Prejudice material submitted with referral	1
Non compliant contract	1
New documents	1
No dispute as withholding notice is unchallengable	1
Jurisdiction arising from unresolved matter from an earlier adjudication where the adjudicator was still active	1

Table 10 – Challenges to appointment of adjudicators

In this survey it was found that 40% of the appointments of adjudicators were challenged. Table 10 indicates what the adjudicators identified as the nature of the challenge. Not all adjudicators specified the nature of the challenge but the table gives some indication of the common grounds used. The most common is clearly a denial that there is a dispute or that while they recognise that there is the kernel of a disagreement this has not crystallised into a dispute.

Compliance with the 1996 Act

During the study the adjudicators were asked how many of their decisions had been made using compliant contract adjudication provisions (i.e. not the Scheme) and how many adjudication decisions had been made by defaulting to the procedures of the Scheme for Construction Contracts. The replies to this question indicated that in 58% of cases the former applied. This is an improvement over the two previous surveys which reported that in 2002 51% and in 2001 43% of adjudications were based on compliant contracts. This is perhaps due to the continued development in standard forms of contract.

Procedure adopted by adjudicators

The adjudicators taking part in the survey were asked to provide some insight into procedural matters. They were asked to state the procedures they had adopted on the adjudications they had carried out during the period of the study.

Procedure Adopted	to October 2001	to October 2002	to July 2004
Employ a documents only procedure	56.0%	52.0%	56.9%
Employ an interview procedure with one party present	3.0%	0.3%	0.8%
Employ an interview procedure with both parties present	35.0%	21.0%	24.6%
Carry out a full hearing procedure	6.0%	6.0%	8.1%
Carry out a conference call			5.8%
Site Visit		11.0%	1.9%
Legal debates			1.5%
Interview with contract administrator present			0.4%
Other		1.0%	

Table 11 – Procedures adopted by adjudicators

Table 11 sets out the results of this question and this indicates that once again the most common procedure was the 'documents only' procedure. The use of the 'documents only' procedure is back up to the level it occupied in 2001 at around 57%. The second most popular procedure is that of interview with both parties present. Carrying out a full hearing procedure is gaining ground at just over 8%, site visits are now rare events and there is a growth in the use of conference calls.

Compliance with time limits

Timescale for adjudication	to October 2001	to July 2004
Decisions given within 28 days	69%	60%
Between 28 and 42 days	27%	30%
More than 42 days	4%	10%

Table 12 – Compliance with time limits

Some within the industry might be a little surprised to see that the 28 day limit is achieved in as few as 60% of cases. This figure has declined since 2001 when it stood at 69%. These extended periods will have been agreed by the parties and that may be because of their mutual convenience or because the disputes have become more complex necessitating more time to allow the adjudicator to reach a decision. The increase in the number of Adjudications being extended by more than 42 days may represent Parties increased faith in the process and the Adjudicator as this requires the consent of both Parties.

Adjudications not proceeding

Some cases did not result in a win, lose or split decisions and those were the ones which were either settled by the parties or which were abandoned. In this study 21% of the adjudications were settled by the parties (which is the same figure as last survey) and 9% of the cases were abandoned (compared with 7% in the last survey).

Proportion of adjudication appointments proceeding to decision		
	Nos.	%age
Appointments between 1/11/02 to 31/7/04	356	
Decisions issued 1/11/02 to 31/7/04	239	67
Adjudication settled by the Parties	75	21
Adjudications abandoned	32	9
Adjudications still ongoing	9	3

Table 13 – Proportion of adjudication appointments proceeding to a decision

Amongst the reasons given by the adjudicators for the adjudications not proceeding were;

- Appointed by the wrong nominating body
- The referring party declined to issue the referral (the Notice of Adjudication was not followed by the Referral Notice)
- Another adjudicator was subsequently appointed.
- Successful jurisdictional challenge
- Asked by Parties to resign in order to recommence
- Jurisdiction challenge accepted by adjudicator
- Parties agreed to end adjudication

If this sample is representative, it would appear that 30% of adjudications do not get as far as a decision. Settlement by the parties could be considered a positive outcome.

Adjudicators' fee levels

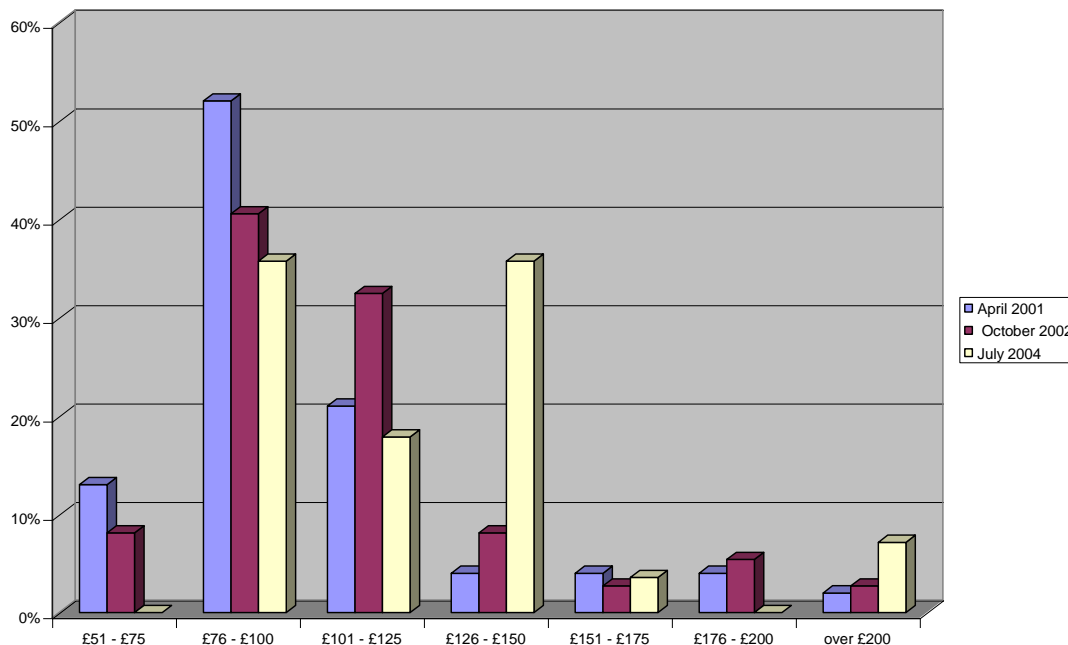


Figure 5 – Hourly fees charged by adjudicators

An interesting picture is evident here as adjudicators have abandoned the lowest level of £51 to £75 which had been utilised in the previous surveys. The proportion using the £76 to £100 per

hour is still high but reducing. The proportion in the £101 to £125 band is also reducing and the main feature is the significant increase in those in the £126 to £150 band. There is little change in the next band of £151 to £175 and this group of adjudicators has left the £176 to £200 band, apparently finding a home in the over £200 per hour group. Apart from the obvious comment that there is a movement to the right (i.e. towards increased fees) there is still considerable spread in fee levels. Possible reasons for this pattern include; a levelling-off in demand for adjudicators and the fact that some lawyers, who have traditionally charged higher fees than adjudicators, have entered the market. In this sample it is the case that the 'over £200' per hour adjudicators were lawyers, the highest hourly rate being £230.

Use of experts

The number of experts appointed by adjudicators taking part in this study is shown in Table 14. The most common expert advisor was the lawyer (which is the same as in previous reports). The number of experts employed on these projects represents 15.3% of the adjudications. This is almost double the figure in previous surveys by the Centre and the rise is particularly significant in the case of lawyers.

Expert	No.
Lawyer	45
M&E Engineer	1
Quantity Surveyor	2
Surveying and Engineering	1
Scaffolding	1

Table 14 – Number of experts advisors employed in the sample of 326 adjudications

CONCLUSIONS

In conclusion there appears to be a reduction in the numbers of adjudication referrals through ANBs. However the report also shows an increase in the numbers appointed by agreement between the parties which seems to cancel out this fall. The number of adjudications therefore seems to have plateaued over this period. For the third year in succession there is clear evidence of a peak in November which may be the prelude to an ambush leading up to the Christmas holiday period. The evidence of ambushes at other time in the year is less distinct.

There is still a low level of dissatisfaction with adjudicators with very few complaints to the ANBs. There may be some room for concern regarding the high level of variability amongst ANBs regarding their requirements for adjudicators to undertake CPD. Some have well developed schemes whilst others do not.

The increase in the level of success amongst the respondents is interesting. There has been a steady increase in their success rates since 2000, moving from a success rate of 14% then to 25% in 2004. The subjects in dispute remain payment, valuation and withholding monies but the sums in dispute seem to be getting larger. This may reflect the fact the proportion of disputes between main contractors and subcontractors is declining while the proportion of disputes between main contractors and clients is increasing.

Challenges to adjudicators has been included in this report and the principal challenges were shown to be the assertion that there was 'no dispute' or that there was 'no jurisdiction' or that the dispute was 'decided previously' or that there was 'no contract in writing'.

The finding that only 60% of adjudications are completed within the 28 day period and that on 67% of adjudications reach a decision, suggests that only about half of the adjudications initiated are likely to result in a decision within the 28 day period envisaged by the Act.

The authors are indebted to the Adjudicator Nominating Bodies and to the individual adjudicators who have provided a wealth of data to allow an insight into how adjudication is being utilised at present and where it may be going in the future.

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