

# Professional Standard 7

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## Expert Witness & Tribunal Practice

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Auctioneers & Valuers Association of Australia  
Reference: 4.27.2

## Introduction

The Auctioneers and Valuers Association of Australia (AVAA) is committed to strengthening professionalism, integrity, and public confidence across the valuation and auction sectors. This *AVAA Professional Standard* forms part of a broader framework designed to support consistent practice, ethical conduct, and accountability across the diverse services provided by members.

Professional standards play an important role in defining expectations for those who hold themselves out as skilled practitioners. They establish clear principles for conduct, competence, and responsibility, helping practitioners, clients, and regulators understand the level of professionalism that should reasonably be expected in the marketplace.

Expert witness and tribunal engagements involve specialised professional responsibilities extending beyond the ordinary provision of valuation or auction services. Practitioners acting in these matters are required to provide independent, objective and properly reasoned expert opinions within the limits of their professional competence and specialised expertise. The integrity of expert evidence depends upon the practitioner maintaining independence from the interests of the instructing party and preserving their overriding duty to the court, tribunal or decision-making body.

This Professional Standard establishes principles governing professional conduct in expert witness and tribunal practice within valuation and auction engagements. It recognises that practitioners may be engaged by parties involved in disputes or contested proceedings; however, expert opinions must remain impartial, evidence-based, within the practitioner's demonstrated area of expertise, and capable of withstanding objective professional and judicial scrutiny.

This standard has been developed through consultation with practitioners and informed by regulatory frameworks, industry experience, and evolving client and government expectations. It is intended to provide practical guidance while reinforcing the importance of transparency, diligence, and professional judgement in everyday practice.

Those holding the AVAA Certified Valuer (CVAAU) credential apply this *AVAA Professional Standard* to demonstrate a commitment to continuous business improvement and professional accountability. In doing so, they contribute to a stronger and trusted sector where valuers are recognised not only for their expertise but also for the integrity and reliability of their work.

Troy R Williams FAIM MAICD  
AVAA Chief Executive

May 2026



## Professional Standard 7

### Title —

AVAA Professional Standard 7 – Expert Witness & Tribunal Practice

### Purpose —

The purpose of this Professional Standard is to establish principles governing the conduct of values acting as expert witnesses or providing expert evidence in courts, tribunals, arbitration proceedings, mediations, regulatory proceedings, and other dispute resolution processes.

This Professional Standard promotes professional independence, competence, procedural fairness, transparency, and confidence in expert evidence by reinforcing members' obligation to provide impartial, well-founded expert opinions within their genuine professional expertise and specialisation.

### Scope —

This Professional Standard applies to the preparation, provision, presentation, review, and discussion of expert evidence related to valuation and auction services in legal, regulatory, administrative, disciplinary, and dispute resolution proceedings.

### Application —

This Professional Standard applies to all individuals who hold the AVAA Certified Valuer (CVAA) credential and are serving as expert witnesses in connection with valuation activities.

### Standard —

#### 1. Principle Of Expert Witness Conduct

- 1.1 Valuers acting as expert witnesses must exercise independent professional judgement and provide objective, impartial, and properly founded expert evidence.
- 1.2 The primary duty of an expert witness is to the court, tribunal, or decision-making body rather than to the client, legal representative, insurer, or party engaging the expert.
- 1.3 Expert evidence should assist the court or tribunal to understand matters requiring specialised knowledge relevant to the issues in dispute.
- 1.4 Valuers acting as expert witnesses should conduct themselves in a manner that promotes confidence in the integrity, independence, and professionalism of the valuation profession.

#### 2. Expertise And Specialisation

- 2.1 A valuer or auctioneer should only accept an appointment as an expert witness where the member possesses appropriate qualifications, training, knowledge, skill, and practical experience relevant to the issues upon which expert evidence is to be given.
- 2.2 Expert evidence should be confined to matters falling within the member's genuine area of professional expertise and specialisation.

- 2.3 General familiarity, limited exposure, or incidental knowledge of a subject matter does not, of itself, constitute sufficient expertise for the purpose of acting as an expert witness.
- 2.4 Where an issue falls outside the member's area of expertise or specialisation, the member should clearly identify the limitation and avoid expressing opinions beyond their competence.
- 2.5 Valuers should take reasonable steps to ensure that expert opinions remain current, supportable, evidence-based, and informed by relevant market, industry, technical, or professional knowledge.

### **3. Independence And Impartiality**

- 3.1 Expert witnesses must not act as advocates for the party engaging them.
- 3.2 Expert opinions, conclusions, and evidence must not be improperly influenced by client expectations, commercial interests, contingent fee arrangements, litigation strategy, external pressures, or desired outcomes.
- 3.3 Valuers acting as expert witnesses should disclose any actual, potential, or perceived conflict of interest capable of influencing their independence or objectivity.
- 3.4 The existence of instructions from a client or legal representative does not reduce the obligation of the expert witness to provide impartial and independent evidence.

### **4. Preparation Of Expert Evidence**

- 4.1 Expert reports and opinions should be prepared with reasonable skill, care, diligence, and professional judgement.
- 4.2 Expert evidence should identify:
  - a. the issues addressed.
  - b. the assumptions relied upon.
  - c. the material facts considered.
  - d. the methodology adopted.
  - e. any limitations affecting the opinion.
  - f. the basis for the conclusions reached.
- 4.3 Valuers should distinguish between:
  - a. factual matters.
  - b. assumptions.
  - c. professional opinions.
  - d. matters outside their expertise.
- 4.4 Where an opinion is provisional, qualified, or dependent upon incomplete information, the limitation should be clearly identified.

### **5. Court And Tribunal Obligations**

- 5.1 Valuers acting as expert witnesses should comply with applicable court rules, tribunal directions, expert witness codes of conduct, procedural orders, and requirements relating to expert evidence.
- 5.2 This Professional Standard supplements, and does not replace, obligations arising under applicable court or tribunal rules relating to expert witnesses, concurrent expert evidence, expert conclaves, joint reports, or expert witness conduct.



- 5.3 Where inconsistent obligations arise, the member's overriding duty to the court or tribunal prevails over obligations owed to the instructing client.
- 5.4 Valuers participating in concurrent evidence processes, expert conferences, or joint reporting processes should act professionally, respectfully, independently, and in good faith.

## **6. Communications And Professional Conduct**

- 6.1 Valuers acting as expert witnesses should communicate opinions honestly, clearly, and without exaggeration.
- 6.2 Members should avoid expressing opinions outside their expertise or presenting speculative, misleading, or unsupported conclusions as established fact.
- 6.3 Professional disagreement between experts should be conducted respectfully and directed to the issues in dispute rather than personal criticism.
- 6.4 Valuers should not knowingly omit material information capable of materially affecting the reliability or interpretation of expert evidence.

## **7. Records And Supporting Material**

- 7.1 Valuers acting as expert witnesses should maintain reasonable records relating to instructions received, documents reviewed, inspections undertaken, methodologies applied, communications, assumptions relied upon, and conclusions reached.
- 7.2 Records should be maintained in a manner reasonably capable of supporting the opinions expressed and demonstrating compliance with applicable professional and court obligations.

## **8. Professional Accountability**

- 8.1 Proper expert witness conduct forms part of professional and ethical practice.
- 8.2 Conduct inconsistent with the independence, competence, honesty, or impartiality expected of an expert witness may constitute conduct capable of consideration under the AVAA Code of Ethics for Individual Members, the AVAA Code of Practice for Corporate Members, and Professional Standards.
- 8.3 Nothing in this Professional Standard limits obligations arising under legislation, court rules, tribunal directions, professional obligations, or lawful orders relating to expert evidence.

## **9. Prohibited Conduct**

- 9.1 Valuers acting as expert witnesses must not knowingly provide false, misleading, deceptive, or materially incomplete expert evidence.
- 9.2 Valuers must not hold themselves out as possessing expertise or specialist knowledge beyond their actual qualifications, experience, training, or competence.
- 9.3 Valuers must not allow financial interests, client pressure, contingent remuneration, or advocacy considerations to improperly compromise the independence of expert evidence.
- 9.4 Valuers must not improperly alter, suppress, conceal, or omit material information relevant to expert evidence or expert reporting obligations.



## 10 Failure To Comply

- 10.1 Failure to comply with this Professional Standard itself constitutes conduct capable of consideration under the *AVAA Code of Ethics for Individual Members*.
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### Status & Review —

AVAA Board Approval:	TBA (Draft)
Periodic Review Due:	3 Years after approval





The **Auctioneers and Valuers Association of Australia (AVAA)** is the leading national body representing professional auctioneers and valuers across a diverse range of specialties, including fine art, antiques, collectables, goods, vehicles, plant, and equipment.

#### **Our Vision**

As the peak body for auctioneers and valuers in Australia, AVAA upholds the highest professional and ethical standards through education, advocacy, and leadership.

#### **Our Mission**

To support and represent Australia's auctioneers and valuers through rigorous standards, ethical leadership, quality education, and credible advocacy, ensuring trust, professionalism, and future-readiness in a changing world.

#### **AVAA National Office**

e: [national.office@avaa.com.au](mailto:national.office@avaa.com.au)

#### **Nationwide Telephone**

1300 928 165

#### **AVAA Capital Territory**

e: [act@avaa.com.au](mailto:act@avaa.com.au)

#### **AVAA New South Wales**

e: [nsw@avaa.com.au](mailto:nsw@avaa.com.au)

#### **AVAA Northern Territory**

e: [nt@avaa.com.au](mailto:nt@avaa.com.au)

#### **AVAA Queensland**

e: [qld@avaa.com.au](mailto:qld@avaa.com.au)

#### **AVAA South Australia**

e: [sa@avaa.com.au](mailto:sa@avaa.com.au)

#### **AVAA Tasmania**

e: [tas@avaa.com.au](mailto:tas@avaa.com.au)

#### **AVAA Victoria**

e: [vic@avaa.com.au](mailto:vic@avaa.com.au)

#### **AVAA Western Australia**

e: [wa@avaa.com.au](mailto:wa@avaa.com.au)