

have made it clear that if expert evidence does not have an objective and impartial basis it will be given little weight.

- Experts often give evidence based on interpretation of a range of variables and an element of subjective interpretation. Therefore differences in conclusion can vary and are acceptable provided they are within a reasonable range e.g.  $\pm 10\%$ . The Court (as in this case) may direct a conference of expert witnesses to try and reach agreement on matters in issue in the proceeding.
- Judges take a dim view of witnesses whose evidence and/or conduct under questioning is unsatisfactory in the Judge's view. They may consider them to be unsatisfactory witnesses, and place little weight on their contribution to the proceeding. Unusually, the judgement provides some telling comments on the performance of witnesses in this hearing.
- Despite the technical information available today on the growth of Douglas-fir and forestry costs and prices, the consultants involved still produced widely divergent estimates of the likely stumpage (in 1997 values) for a new Douglas-fir investment. This is disquieting from

the point of view of public confidence in forest valuation processes and outcomes and the Board believes that a more rigorous application of the NZIF's Forest Valuation Standards may be required to produce more consistent stumpage estimates within a narrower range.

In general, the Registration Board believes that most NZIF members involved acquitted themselves well and no serious harm appears to have been done to the profession or themselves, by NZIF members during this case. However, the judges comments are a timely reminder of the care that members need to take when acting in an expert witness role.

The NZIF Registration Board is currently drafting a Code of Conduct for Expert Witnesses and is planning a training seminar to assist members.

Members who have a further interest in this case should obtain a copy of the judgment.

**Robert Miller**  
Chair, NZIF Registration Board

## Bill Cleghorn's service to the NZIF recognised

**A**t the Waitangi Conference a special presentation was made to Bill Cleghorn to recognise the outstanding service he has given the NZIF over the last 17 years. Bill, an Honorary Member of the NZIF, has recently retired from the NZIF Registration Board.

Bill, a Registered Valuer and long-standing member of the NZ Institute of Valuers/NZ Property Institute, was appointed to the Consultants Committee by Council in 1988 as an "independent member of another professional body".



*Bill Cleghorn being awarded a certificate of service to the NZIF by Registration Board Chairman Rob Miller.*

He continued as a member of the Consultants Committee until 1996 at which time he became a member of the Registration Board which replaced it.

Consultants who have come before the Consultants Committee and Registration Board over the last 17 years will recall Bill's probing questions on land issues related to forestry. Not all applicants will have enjoyed the experience but all will have learnt from it. Fellow Committee and Board members have also benefited greatly from his professional experience. Chairmen have appreciated the wise counsel he has provided.

Bill's contribution to the NZIF has extended well beyond his direct membership of the Consultants Committee and Registration Board. He was a member of the working party which developed the new Registration Scheme and a representative of the Registration Board in the revision of the Code of Ethics. Through these activities Bill has made a major contribution to the NZIF as it has sought to enhance professional standards.

The NZIF has been very fortunate to have had the benefit of Bill Cleghorn's experience. We thank him for the contribution he has made.

**Bruce Manley**