



AI in expert evidence:

extraordinary capability, extraordinary responsibility.

The most useful business tool in over 30 years — and, without qualification, one of the most dangerous. A commentary on the paradox now facing expert evidence.

AI is already in the room

Adoption in arbitration is set to rise sharply over the next five years — pulled by efficiency and checked by a persistent fear of error.



54%

cite **saving time** as the leading driver of AI use.



44%

point to **cost reduction** as a principal driver.



51%

name **errors and bias** as their number-one concern.



47%

flag **confidentiality risk** as a leading obstacle.

Source: QMUL / White & Case, 2025 International Arbitration Survey (2,482 questionnaire responses; 117 interviews).

The risk isn't replacement

“AI will allow individuals lacking genuine expertise to produce outputs that superficially resemble expert analysis.”

— MATHESON CROYSTON, SENTINEL ADVISORY

The mechanism of failure is not AI producing **nonsense**. It is AI producing **credible-sounding nonsense** that an inexperienced reviewer cannot distinguish from substance. *Hallucination* in a legal or technical context is a professional liability event.



In *Kohls v Ellison* (2025), a court struck an expert declaration citing non-existent articles, finding the errors “shattered” the expert’s credibility.



Waiting for a hallucination-free AI, warns Professor Doug Jones AO, “may be like waiting for Godot.”

Jones, D. (2025). ‘Beyond the Horizon: Charting the Next Forty Years of Alternative Dispute Resolution’, paper delivered at the AO 40th Anniversary ADR Conference, 27 March 2025.

Kohls v Ellison, No 24-DV-3754 (D Minn, 2025).

A powerful tool. Not a professional.

For the purposes of this commentary, AI is defined as computational systems that generate, analyse, classify, predict, or recommend outputs based on data, algorithms, and statistical models, including machine learning systems and large language models.



AI **may assist** human decision-making and professional analysis.



AI **does not possess** independent judgment, professional responsibility, or legal accountability.



AI is a force multiplier for experts. It is a force multiplier for **error** in the hands of the unqualified.

Where AI is already adding value



Legal or technical research

Faster discovery of authorities, standards and precedents.



Document review & analysis

Rapid identification of key provisions and themes.



Chronology or timeline construction

Structured sequencing of events and activities.



Analytical modelling or quantum

Scenario testing and sensitivity analysis support.



Translation or transcription

Drafting support across languages.

AI accelerates the process. The expert owns the judgment.

The expert's obligations don't change

Whether AI is used or not, the bedrock duties remain.



**Be
independent
and objective**



**Base opinions
on relevant
facts and
expertise**



**Explain
methods and
assumptions
clearly**



**Check, verify
and challenge
AI outputs**



**Disclose AI use
transparently
where required**

Dame Victoria Sharp: “AI is a tool that carries with it risks as well as opportunities. Its use must take place... within a regulatory framework that ensures compliance with well-established professional and ethical standards if public confidence in the administration of justice is to be maintained.”

Use AI. Disclose AI. Own your opinion.

- ✓ AI is transforming expert practice.
- ✓ Extraordinary capability comes with extraordinary responsibility.
- ✓ Unqualified and unconstrained use creates real risks.
- ✓ Disclosure should be the norm.
- ✓ The expert's judgment is, and must remain, irreplaceable.



*AI is the most useful tool
in over 30 years. Let's
use it wisely.*

Read the full commentary for a
deeper analysis of risks,
responsibilities and best practice.

For the full long-form commentary article, visit <https://www.sentineladvisory.co/insights>

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