

G-Cloud 15

Service Definition Document

Cloud-enabled Disputes Services

January 2026



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1. Service detail

Successful organisations depend on their reputation for keeping promises, respecting laws and behaving ethically to maintain stakeholder trust. EY Forensic & Integrity Services professionals help organisations protect and restore enterprise and financial reputation. We assist companies and their legal counsel to investigate facts, resolve disputes and manage regulatory challenges. We put integrity at the heart of compliance programs to help better manage ethical and reputational risks. We use cloud, technology and AI as the foundation of all our services to leverage the power of data, enhance productivity and improve accountability.

EY's experienced forensic accounting, quantum and subject matter specialists can provide expert advice and/or expert witness services in relation to quantum and other issues before or during legal proceedings (formal and informal) to either support or defend a claim in a commercial dispute.

This service is applicable to a wide variety of commercial contracts including large IT, digital and cloud contracts.

Working closely with internal/external legal counsel, including providing input into the overall litigation strategy, EY can perform an initial assessment of the damages claimed/to be claimed including evaluating the reasonableness of the basis and accuracy of the damages calculation and identifying any rebuttal points and/or alternative loss scenarios.

Having access to quantum expertise pre-claim or at an early stage in the legal proceedings allows a holistic approach to be taken to the dispute facilitating commercial resolution or early settlement.

During active legal proceedings, whether informal or formal, EY's role can be that of an expert adviser and/or as an expert witness on financial, quantum and other issues. We provide expert analysis and advice to support without prejudice meetings/negotiations and settlement discussions as well as prepare expert reports and give expert testimony during the trial process. EY's expert advisers/witnesses also work with internal/external legal counsel to assist in the assessment and cross examination of the opposing expert witnesses' expert opinion and evidence.

EY's forensic accounting and quantum specialists benefit from having access to industry/sector and geography-specific experts across the global EY organisation. Further, where the issues require one of EY's subject matter experts from another technical discipline/professional service (e.g., tax, audit, pension, due diligence, etc.) to be the expert witness, they are supported by EY's forensic accounting team, which has extensive experience of supporting expert witnesses to prepare and provide robust expert evidence and testimony in litigation and international arbitration proceedings. For example, in a recent engagement, our client was involved in a dispute relating to a services contract:

- A key issue was understanding work orders completed under the contract and associated payments due
- The underpinning data was distributed across several large, disparate databases and excel sheets, making it very difficult to interpret and aggregate for analysis
- A multidisciplinary team of claims experts and domain subject matter experts, supported by advanced AI technology, collaborated with a data analytics team who ingested, cleansed and aggregated diverse datasets into a single version of the truth.
- Different stages of each work order were linked up using complex matching combinations, allowing investigators to view a work order from end to end. In addition, the team analysed the prices attributed to the work orders so that the forensics and legal teams could make a determination as to the value of the claims involved

This approach enabled the client to respond to the dispute with assertions and claims backed by granular data and detailed analysis, which had the potential of delivering considerable financial advantage to the client, in some tens of millions of pounds.

Our use of cloud technology enhances, speeds up our work and ensures its robustness. For example, in a recent engagement the client had excel sheets with potentially overlapping and non-synchronous data that needed analysing to determine the timeline of events and the status of specific artefacts along that timeline. Working with key stakeholders, we deduplicated the entries, tidied up the timestamps, reformatted them to a standardised template and visualised them in Power BI so that the timeline and statuses were clearly visible. This meant the client was able to check, corroborate and verify the timeline and statuses of various artefacts, allowing the Disputes team and Consulting team to work on the narratives surrounding these artefacts.

Benefits	Features
• Enables strategic decision making in the context of commercial disputes • Provides informed risk assessment to reduce exposure • Robust expert witness reports and testimony from experienced quantum experts • Reduce exposure by critically reviewing opposing expert opinions for rebuttal • Objective analysis to identify dispute risks and associated costs • Full support throughout hearings to advise on expert matters • Comprehensive advice and support from initial risk analysis to resolution • Reduce litigation risk through initial assessment, incorporating AI cloud-based services • Utilising global reach with industry/sector experts for complex disputes • Improve efficiency using advanced technology for evidence review and analysis	• Initial quantum, damages or financial loss assessment • Expert analysis and advice, including on legal liability, causation, quantum • Support of resolution strategies and settlement negotiations • Preparation of independent expert evidence (or acting as shadow expert) • Evaluation of opposing expert opinions and rebuttal strategies • Readiness for hearings and cross-examination of witnesses • Identification and mitigation of claims and dispute risks • Advanced AI and data analytics to underpin potential claims • Assistance with the document discovery and/or disclosure • Comprehensive dispute resolution and advisory services

1.2. Pricing

Please refer to the attached pricing document.

2. Key contacts

For further information please get in touch via the email address below.



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