Liability Insurance: The Known Knowns, the Known Unknowns and the Unknown Unknowns

3 – 5 September 2007
Robinson College, Cambridge

This is the fourteenth Conference organised on behalf of the Liability Underwriters Group. In previous years the Conference has raised awareness of the many emerging risks and issues facing the liability market and given suggested solutions. Once again we will be looking at how risks and liabilities are emerging as well as examining strategies for dealing with claims. The Conference will give an insight into many of the essential issues facing the market today, and whether or not our methodology for dealing with these claims is in the best interests of claimants and insureds.

There are many opportunities for delegates to join in the discussions; – time is set-aside after each presentation to discuss the points raised, and there is the Symposium where participants can raise issues for discussion by the Conference.

Who is the Conference for?

This Conference will be of interest to anyone involved in Liability Insurance – underwriters, claims managers, risk managers, lawyers from either side, and brokers.

The Benefits

In addition to hearing some expert and eminent speakers there will be an opportunity to:
• discuss liability insurance issues with others - both speakers and other delegates.
• exchange views during the Symposium and Debate - an important aspect of our conferences is to encourage participation by delegates and to obtain a good cross-section of views.
• develop business relationships - the conference has a strong social aspect to complement the academic.
• have an enjoyable time.

The Venue

Robinson College is the most modern college with excellent conference and residential facilities.
The Liability Underwriters Group

LUG was formed twenty four years ago by leading underwriters in the London market with a view to improving levels of knowledge in the market as a whole. This is pursued through an academic approach to dealing with real problems facing the market. LUG provides a forum where underwriting practitioners may meet, exchange views and information, but, most importantly, undertake research for the benefit of the whole market. This Conference provides an opportunity for the members of LUG to further its aims and to involve others in the industry with an interest in Liability Insurance.

Conference Programme

Monday 3rd September 2007

5.30 - 6.30pm  Registration

6.30 – 7.30pm  Dinner

7.30 – 7.35pm  Chairman’s Introduction

7.35 – 9.30pm  Liability Master Classes

Tuesday 4th September 2007

9.00 – 9.30 am  Concerns for the Liability Market 2007
Gerald Kitiyakara
The issues which are under review by LUG.

9.30 – 10.30 am  Strategies in Personal Injury Claims Handling
Mark Turner QC
• Periodical Payments or Lump Sum – the current regime
• Advantages and disadvantages for insurers and claimants
• Practical problems – annuities and reserving
• Persuading the claimant to take a lump sum

10.30 – 10.45 am  Coffee.

10.45 – 11.45 am  Risk Factors and Legal Issues in Non-traumatic Bodily Harm
Boris Cetnik
• Asbestos compensation – the government and judicial agendas
• Policy coverage and triggers – post Bolton v MMI
• Noise induced hearing loss – action levels & test cases
• Asymptomatic conditions – pleural plaques
• Harassment and discrimination – coverage and issues arising
• Dates of knowledge – limitation issues
11.45 – 12.45 pm Access to Justice: The Impact on Insurers - Problems and Solutions
David Williams and Fraser Whitehead
- The creation of a Claims Industry
- Encouraging the compensation culture
- Costs Inflation
- Trends and strategies for insurers

12.45 – 1.45 pm Lunch

1.45 – 2.45 pm Liability Insurance - A reinsurer’s perspective
Tom Chivers
- An international perspective on liability reinsurance
- The problem with triggers
- Asbestos write-backs
- Public liability reinsurance - any one claimant clauses
- Emerging risks – emerging cover

2.45 – 3.45 pm Violent Video Games – The Liability Issues
Robert Beesley

3.45 – 4.00 pm Tea.

4.00 – 5.00 pm The Science of Emerging Risks
Marion Palmer
- EMF’s
- Endocrine Disruptors
- Genetically Modified Foodstuffs
- Nanotechnology

5.00 – 6.00 pm Symposium – Our panel of experts will lead a discussion on questions raised by delegates.

7.00pm Reception and Banquet
Wednesday 5th September 2007

9.00 – 10.00 am  A review of recent case law and trends
Frank Burton QC

10.00 - 11.00 am  Climate Change and the liability market
Alex Hamer
  • The effects of climate change
  • The cost of climate change
  • Who is liable?
  • Climate change and the courts
  • The role of liability insurers

11.00 – 11.15pm  Coffee.

11.15 - 12.15 pm  US Perspective
(Cozen O’Connor)
  • The developing compensation culture
  • Tort Reform

12.15 – 1.15 pm  Australia Tort Reform – Action and Reaction
Brent Hedges
  • Aspects of the Civil Liability Act 2002
  • The impact of the Act
  • Proposals for further reform

1.15 – 2.15 pm  Lunch
The Panel

Chairperson

Deborah Hall
Deborah Hall is a journalist and broadcaster. She presented Breakfast Time, Newsroom South East, Business Breakfast, the National News, and BBC World. She has appeared in many other programmes and dramas on television. She is the presenter of The Law Channel for the Einstein Network. She has chaired a number of Liability and Professional Indemnity Insurance Conferences.

Speakers

Robert Beesley
Robert Beesley is Senior Casualty Underwriter at XL Insurance.

Frank Burton QC
Frank Burton QC practices from 12 King’s Bench Walk. He has an established practice in the areas of Personal Injury, Professional and Clinical Negligence. He was appointed as a Recorder in 1999 and was also Chairman of the Law Reform Committee of the Bar Council (2003 - 2005) and the Chairman of Personal Injuries Bar Association (2004-2006). He is a Bencher of Gray's Inn (2004).

Boris Cetnik
Boris Cetnik is a Partner in Berrymans Lace Mawer, having joined in 1997, and is a member of the Occupational Disease unit, specialising exclusively in handling these claims. He has a science background and worked in the pharmaceutical industry before qualifying. He is therefore well placed to specialise in cases of complex medical causation. He writes regularly for legal publications and is the Disease unit's main contact for arranging insurance training on all major occupational diseases.

Tom Chivers
Tom Chivers is an international reinsurance underwriter with QBE. He previously worked as a civil servant in the Asia-Pacific division of the Export Credits Guarantee Department before joining Syndicate 2000 seven years ago. He originally underwrote financial, political and terrorism insurance but then moved to the international casualty treaty team to underwrite liability reinsurance throughout UK and the rest of the world.

Alex Hamer
Alex Hamer is a partner in Reynolds Porter Chamberlain where he specialises in liability and first party coverages. Recent work has related to technology products, commercial software, financial institutions, professional indemnity, commercial property, and casualty reinsurance. His work involves defence work, liability and coverage advice. He chairs the firm's Technology group which spans both the insurance and corporate sectors of the firm. He has also recently completed a study for insurance clients on the implications of climate change.
**Brent Hedges**
Brent Hedges is a founding partner of Curwoods in Sydney. He specialises in Insurance claims resolution across a range of classes of business including public and products liability; professional indemnity; directors’ and officers’ liability; heavy motor; and employment law practices. His experience spans advising insurers, brokers, claims agents and underwriters, and the London markets.

**Gerald Kitiyakara**
Gerald Kitiyakara, ACII is Senior Casualty Underwriter in Zurich Global Energy London Office. He is currently Chairman of LUG, having previously been its Vice Chairman. He has specialized in Liability underwriting for many years, concentrating on multinational programmes. He began attending LUG meetings, when he joined Eagle Star in early 1996 and has attended the meetings continuously since then. He took up his present position in Zurich Global Energy in June 2005.

**Mark Turner QC**
Mark Turner QC is head of Deans Court Chambers, Manchester and also practices from Crown Office Chambers, London. He specialises in catastrophic injury and disease litigation representing both claimants and defendants. He is also head of Health, Safety and Regulatory Crime Group. In addition, he advises on issues of environmental and insurance law.

**Dr Marion Palmer**
Marion Palmer is a Senior Scientist at Lovells and is one of the founder members of the firm's Science Unit. She works with various sectors of the firm including dispute resolution, intellectual property, corporate, and insurance. Recent work has focused on electromagnetic radiation, climate change, pharmaceuticals and vaccines.

**David Williams**
David Williams is Claims Director of AXA. He has been heavily involved in the government and ABI responses to the ‘Liability Crisis’ in his previous role as Casualty Manager, and continues his lobbying work as the insurance industry looks to remove unnecessary costs and delay from the current adversarial compensation process. He speaks regularly at conferences and has also appeared on BBC Breakfast TV, Channel 4 News, and Radio 4’s ‘Today’ Programme, being interviewed on topics varying from Compensation Culture to Business Crime.

**Fraser Whitehead**
Fraser Whitehead is Senior Litigation Partner and head of the Trade Union Services Group at Russell Jones & Walker. He advises Trade Unions and their members on a wide variety of work related and labour law issues, including collective and individual employment rights, collective and regulatory law, industrial action and work environment issues. He was a member of the Blackwell Committee appointed by the Lord Chancellor to examine the way Personal Injury and Employment law cases are handled by advisors. He specialises multi-party and injury collective compensation cases.
CONFERENCE INFORMATION

DATES
Monday 3rd (6.30pm) to Wednesday 5th (2.15pm) September 2007

VENUE
Robinson College, Cambridge.

FEES
The fee for the two-day conference is £795.00 + VAT. The fee includes conference documentation, refreshments, breakfast, lunch, dinner, banquet and accommodation.

ACCOMMODATION
Accommodation is in Student Single Study “en-suite” bedrooms located in the College building.

TRAVELLING TO CAMBRIDGE
For those travelling from London we have a coach which will leave from Lloyd’s at 3.45pm on 3rd September, and return after the conference. Fee £20 + VAT

CAR PARKING
Car Parking is available free of charge at the Wilberforce Road Athletics Ground – five minutes walk from the College.

LAW SOCIETY C.P.D. Scheme
This conference qualifies towards the scheme.

CII C.P.D. Scheme
This conference may be regarded as a structured activity for the purpose of CPD

Institute of Legal Executives CPD Scheme
This conference qualifies towards the scheme.

The General Council of the Bar
This conference qualifies towards the scheme.

BOOKINGS
To book places at the Conference email: susan.langley@imc-seminars.com
or telephone 020 7481 9070

PLEASE NOTE
Admission papers will be issued to all delegates prior to the conference. If you do not receive these please telephone to ensure we have registered your booking. All other documents will be distributed at the conference. It may be necessary for reasons beyond the control of the organisers to alter the content and timing of the programme or the speakers.