



Professional Indemnity Insurance Conference: Trends, Trials and Tricksters

2 –4 July 2007
Robinson College, Cambridge

The Conference

This is the eleventh Conference organised on behalf of the Professional Indemnity Forum. The Conference will look at how the market is developing, and give an insight into some of the essential issues facing the market and ways of approaching them. We will examine legal cases and trends in professional liability and assess their impact on underwriting and claims strategies.

There are many opportunities for delegates to join in the discussion; time is set-aside after each presentation to discuss the points raised, there will be an opportunity to partake in debate, 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 Professional Indemnity Insurance, including underwriters, claims managers, risk managers, lawyers, and brokers.

The Venue

The Conference will be held at Robinson College, Cambridge. Robinson is a modern college with excellent conference facilities. All rooms are “en-suite”.

The Professional Indemnity Forum

PIF was formed a number of 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. PIF 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 PIF to further its aims and to involve others in the industry with an interest in Professional Indemnity Insurance.

Conference Programme

Monday 2nd July

- 5.30 - 6.30 pm** **Registration**
- 6.30 – 7.15 pm** **Reception**
- 7.15 – 8.15 pm** **Dinner**
- 8.15 – 8.25 pm** **Conference Chairman’s Introduction**
- 8.25 – 9.30 pm** **The Joint Retainer – A drama in one act**
Followed by discussion and critical analysis
Philip Murrin, Ross Risby, Graham Goddard

Tuesday 3rd July

- 9.00 – 9.45 am** **An Analysis of the Professional Indemnity Market 2007**
Russell Newell
- 9.45 – 10.45 am** **Solicitors - Conflicts of Interest**
Philip Bartle QC
- Conflicts of interest
 - Solicitors practice rules - one year on
- 10.45—11.00 am** **Coffee**
- 11.00 – 12.00 am** **Mortgage Fraud**
Peter Maguire
- Policy Issues
 - Notification
 - Non-disclosure
 - Fraud Exclusions
 - Aggregation
 - The liability of the professions
 - Solicitors
 - Surveyors
 - IFAs
 - Accountants
- 11.40 – 12.40 pm** **The law – a review of important recent cases and trends**
Mark Simpson

- 12.40 – 1.45 pm** **Lunch.**
- 1.45 – 2.45 pm** **Regulation - the impact on Professional indemnity Insurers and on the Market**
Speaker to be confirmed
- 2.45 – 3.45 pm** **European Professional Indemnity: business and legal aspects**
Jacquetta Castle and Phil Foley
- Practical aspects of insuring in different countries
 - Scope of cover
 - Claims made or losses occurring
 - Fronting Arrangements/binders
 - Time Limits
 - Limitation Periods
- 3.45 - 4.00 pm** **Coffee**
- 4.00 – 5.00 pm** **Symposium** – A panel of experts will lead a discussion on questions raised by delegates.
- 7.00pm** **Reception and Banquet**

Wednesday 4th July

- 9.00 – 10.00 am** **Avoiding Liability in Cases of Fraud**
Stephen Rubin QC
- Practical problems of proving fraud
 - Joint liability
 - Condoning of dishonest acts
 - Avoiding against “innocent” parties
- 10.00 - 11.00 am** **IT: Pioneering Professional Indemnity**
Tony Nurse-Marsh and Andrew Sellers
- Where claims come from : risks
 - Trends in claims
 - Contrast other PI
 - Policy points
 - Relationship issues
- 11.00 – 11.15 am** **Coffee**
- 11. 15 - 12.15 pm** **Insurance Law Reform - A Professional Indemnity Perspective from Down-under**
Simon Alroe
- Enforcing the duty of good faith
 - Reinvigorating the “claims made and notified” policy
 - Capping exposures through proportionate liability

12.15 – 1.15 pm

The Professional Indemnity Market – drivers, dynamics and demons

Steve Roberts, Mark Everard, Andy Bragoli, Mark Figes

- Market Cycles
- Contract Certainty
- Strategies
- Regulation
- Reinsurance
- And some we don't know about yet

1.15 – 2.00 pm

Buffet 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

Simon Alroe

Simon Alroe is Group Head of Minter Ellison's Insurance and Corporate Risk Group in Brisbane. He has more than 16 years experience in the insurance and health industries including five years working in the London insurance market. He has extensive experience in the management of professional negligence, general insurance and medico-legal litigation. He is a member of the Australian Insurance Law Association, Australian Professional Indemnity Group and Medico-Legal Society.

Philip Bartle QC

Philip Bartle is a member of Littleton Chambers. He took silk in 2003 and has rapidly established himself as a leader and mediator. He specialises in professional negligence, including solicitors', valuers', surveyors' and accountants' negligence. He also practises in employment and commercial law. He is now one of the Bar's most experienced and sought after mediators.

Andy Bragoli

Andy Bragoli is Group Broking Director of Howden Group with responsibility for development of both its UK and overseas operations. With over 22 years of experience in the Professional Indemnity sector he has gained an in depth knowledge of the dynamics of the product and market and has focused most recently in expanding the London markets involvement in International risks. He was previously with APIA, the construction professionals' specialist of Lowndes Lambert Group and Nelson Hurst & Marsh.

Jacquetta Castle

Jacquetta Castle, Pinsent Masons, acts on behalf of professional indemnity insurers particularly in directors and officers claims, financial institutions, barristers, insurance brokers, accountants, solicitors and surveyors. Much of her work has an international element. She originally qualified as a barrister. After pupillage, she joined Reynolds Porter Chamberlain and subsequently joined Charles Russell as a partner, where she was joint head of the professional liability practice. In September 2006, she was elected as the Chairman of the British Insurance Law Association.

Mark Everard

Mark Everard started in Miller Reinsurance in 1979 concentrating on Professional Indemnity business. Made a Director in 1986 and a Partner in 2006, he now heads the London team covering Casualty, Property, Marine and ART. Specific specialisation is the design and placement of long tail accounts, both standard and non standard structures.

Mark Figes

Mark Figes is London Underwriting Director in the Professional and Financial risks unit of SR International Corporate Clients Global and Large Risks Division. He has over 27 years experience of Casualty business Reinsurance/Insurance business within the Professional Indemnity, Financial Institutions, Directors and Officers, Media, and general Liability classes.

Phil Foley

Phil Foley is European Head of Professional Indemnity, Liberty International Underwriters. He holds the position of Senior Vice President Specialty Casualty Europe and has over 30 years of insurance industry experience. Prior to joining Liberty in 1998, he held several senior management positions at Marsh & McLennan and Minet Global Professional Services, in the U.K. and North America. He holds the ACII designation and is a Chartered Insurer and is a member of the Professional Liability Underwriting Society.

Graham Goddard

Graham Goddard is an Executive Director running the Professional Indemnity and Directors and Officers Claims Team within FINEX, the Financial and Executive Risks Division of Willis. After an initial 2 years with the Architects Professional Indemnity Agency, Graham has spent his last 20 years with Willis principally focused on the Construction Industry in both a placing and a claims handling capacity. He now spends his time trying to find solutions to complex claims issues facing Willis' clients and advising upon risk management strategies.

Peter Maguire

Peter Maguire is a partner in the Insurance and Reinsurance Group of CMS Cameron McKenna LLP. He became a partner in 1989 and has over twenty years' experience in professional indemnity work. He has been involved in several landmark cases and has extensive experience in handling the defence of claims against solicitors, surveyors, accountants and brokers. He also advised the ICAEW and the RICS on their respective "Minimum Professional Indemnity Policy Wordings".

Philip Murrin

Philip Murrin is a Partner in Davies Arnold Cooper. He specialises in professional indemnity claims. He has been involved in high value/profile disputes involving solicitors, surveyors, accountants, brokers, environmental consultants and a variety of quasi-professionals. He recently gave evidence in the High Court in an insurance dispute on, amongst other things, the issue of conflict under a joint retainer.

Russell Newell

Russell Newell is Divisional Underwriter - Professional Indemnity for Canopus Managing Agents Ltd at Lloyd's. He has experience of many classes of Professional Indemnity business and is a market leader on Independent Financial Advisors. He is Chairman of the Professional Indemnity Forum.

Tony Nurse-Marsh

Tony Nurse Marsh is a partner and head of department in Henmans. He specialises in professional negligence and other commercial litigation. He has particular expertise defending professionals including solicitors, accountants, IT consultants, and insurance brokers. He also has a substantial construction practice based on his professional indemnity work for surveyors, architects, contractors and engineers.

Ross Risby

Ross Risby is a Partner in Davies Arnold Cooper specialising in professional liability claims. He has extensive experience relating to claims against a variety of professionals and quasi-professionals including accountants, architects, surveyors, expert witnesses, insurance brokers, financial advisers, solicitors and barristers.

Steve Roberts

Steve Roberts is Chief Underwriter International Casualty ACE Tempest Re Europe. He is responsible for all casualty treaty underwriting worldwide, excluding USA and Canada. He has previously underwritten direct and treaty business for Lloyd's syndicates and the Company market. He has been a member of both the Professional Indemnity Forum and the Liability Underwriting Group, and is a past Chairman of the Casualty Treaty Group.

Stephen Rubin QC

Stephen Rubin practices from Fountain Court Chambers. He specialises in general commercial litigation particularly civil fraud, banker/customer disputes, foreign exchange, business disputes and professional negligence. He has considerable experience of litigation involving fraud by solicitors. A trial lawyer who is described by Chambers and Partners as "*A brawler with a great intellect*" and recommended as a Leading Silk for commercial litigation and civil fraud.

Andrew Sellers

Andrew Sellers is the UK & International Claims manager for the TMT division at specialist media and technology insurer Hiscox, where he concentrates on complex technology, media and telecoms (TMT) claims, including ground-breaking cases involving large software companies, resellers and Telecom companies, broadcasters, publishers, advertising agencies, marketing agencies and TV and film production companies.

Mark Simpson

Mark Simpson practises from Fountain Court Chambers. He specialises in professional negligence and liability, including disciplinary and regulatory proceedings and enquiries, civil fraud, insurance and general commercial work. He has been involved in some of the most significant professional indemnity cases of recent years. He is an experienced trial and appellate advocate who combines a down-to-earth and approachable style with sound academic credentials. He is General Editor of *Professional Negligence and Liability*.

CONFERENCE INFORMATION

DATES

Monday 2nd (6.30pm) to Wednesday 4th (2.00pm) July 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 2nd July, 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.