



Professional Indemnity Insurance: Rationale and Reality

6th – 7th February 2007

THE CONFERENCE

The Conference will provide a thorough exposition of the fundamentals of Professional Indemnity business, through an analysis of the legal background, the rationale behind and the problems in policy coverage, and an examination of developments in individual professions. The conference will give an insight into some of the current issues facing the Professional Indemnity market, and ways of approaching them.

The conference schedule is intense, but there will be time for discussion after each presentation. In addition to hearing some expert speakers there will be an opportunity for delegates to discuss Professional Indemnity insurance issues with others - both speakers and other delegates.

WHO IS THE CONFERENCE FOR?

This Conference is designed to be of interest to and understandable by those who have only a limited experience of the business and those who wish to enhance and update existing knowledge.

VENUE

London Underwriting Centre, 3 Minster Court, Mincing Lane, London EC3R 7DD.

FEES

£475 + VAT. The fee includes conference documentation, lunch and refreshments.

CONTINUING PROFESSIONAL DEVELOPMENT

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

Conference Booking

To reserve a place at this conference telephone Tony Gregory 020 7481 9070, or email tony.gregory@imc-seminars.com

6th February 2007

- 9.15 – 9.25** **Introduction to the Conference**
Deborah Hall
- 9.25 – 10.25** **Legal Developments**
Clare Branch and Richard Breavington
- How the professional incurs liability in contract and tort
 - Duty, breach and causation
 - Damages
- 10.25 – 11.25** **Policy Coverage: *The words mean exactly what I want them to mean.* That is the problem**
Neil Park
- The choice of Insuring Clause
 - “Circumstances”
 - Special Clauses
 - Features of Minimum Wordings
- 11.25 – 11.40** Coffee
- 11.40 – 12.40** **Architects and Engineers**
Natalie Graham
- The responsibilities of the architect and engineer
 - Collateral warranties
 - Examples of claims
 - Developments in Policy cover
- 12.40 – 1.45** Lunch
- 1.45 – 2.45** **The Legal Professions**
Harriet Strevens
- The professions and how they are regulated
 - How liability arises
 - Features of the Law Society Minimum Wording
 - Risk management in the legal professions
- 2.45 – 3.40** **Design and Build**
Michael Earp
- The evolution of Design and Build
 - Why Design and Build Professional Indemnity is different
 - Legal aspects of Design and Build
 - Trends and Developments
- 3.40 – 3.55** Tea

3.55 – 4.50	Insurance Brokers Claire Garrett and Sarah Stocks <ul style="list-style-type: none"> • Regulation – FSA and Lloyd’s • Where does it all go wrong and how to avoid it? • Features of cover and wordings • Claims handling
4.50 – 5.30	Symposium. Our team of experts will discuss issues raised by the audience
5.30 – 7.00	Reception
7th February 2007	
9.15 – 9.20	Introduction Deborah Hall
9.20 – 10.10	Accountants and Auditors Susan Langley <ul style="list-style-type: none"> • Regulation of the profession • Liability of accountants and auditors • Features of the new minimum wording • Claims and risk management
10.10 – 11.00	Financial Institutions Denis Whelan <ul style="list-style-type: none"> • Recent case law and claims • Fiduciary Liabilities • Severity of claims • Developments in Policy Wordings
11.00 – 11.15	Coffee
11.15 – 12.15	Market Miscellany Tony Gregory <ul style="list-style-type: none"> • <i>“I’ve seen that painting somewhere before”</i> • On a mountain in Switzerland..... • A slight miscalculation
12.15 – 1.15	Financial Advisers Harriet Quiney <ul style="list-style-type: none"> • The range of activities and products • FSA and FOS - myths & legends • Only a few small problems!! • Policy Coverage
1.15 – 2.00	Lunch

2.00 – 3.00	Surveyors and Estate Agents Workshop Tony Gregory
3.00 – 4.00	Claims Handling John Moore <ul style="list-style-type: none">• Tactics and managing the team• Reserving• Investigations• Negotiations and mediation• Part 36 offers
4.00 – 4.30	Any Questions
4.30	Conference Close

CHAIRMAN

Deborah Hall

Deborah Hall read the local and national news on BBC-1, was a presenter on Newsroom South East and Business Breakfast and a news anchor on BBC World. She presents The Law Channel and The Accountants' Channel for the Einstein Network and has chaired dozens of conferences for the insurance market, Lloyd's and the launches of the New Deal and NHS Plan for the government. Deborah conducts presentation and media training courses for many clients including the European Union, World Health Organisation, Lloyd's Training Centre, Insurance Market Conferences, Towers Perrin Claytons, Miller, Kiln, Beazley, and Clifford Chance. Deborah is the media consultant for Bill Gates' worldwide programme to vaccinate the poor.

PRESENTERS

Clare Branch

Clare Branch is an associate in the insurance and reinsurance litigation group at Herbert Smith. She has advised on a range of insurance policy disputes and has acted on behalf of solicitors and insurance brokers in professional negligence cases. Clare has also acted on behalf of brokers in relation to the HIH Royal Commission and associated proceedings.

Richard Breavington

Richard Breavington is an associate in the insurance and reinsurance litigation group at Herbert Smith. He has worked on a range of insurance disputes including acting for Winterthur Swiss Insurance Company on what is believed to be the largest value baseball arbitration ever to have taken place and has experience in working on professional negligence cases. Richard has also been seconded to the Court of Appeal for six months as a judicial assistant sitting with Lord Justice Kennedy.

Michael Earp

Michael Earp is Executive Director, FINEX UK & Ireland, Willis. His particular area of expertise is in construction risks. His twenty-seven years in insurance have made him a recognised figure in the Professional Indemnity market. He has been both a broker and an underwriter. He is a member of a Construction Industry Council Committee investigating the viability of Project Insurance. He is a regular speaker at conferences and contributes articles to industry trade journals.

Claire Garrett

Claire Garrett is an associate in the insurance and reinsurance litigation group at Herbert Smith. She has extensive experience of brokers' negligence cases as well as professional indemnity experience in relation to fund managers. Claire has also been seconded for six months to the legal department of a major insurance broker.

Natalie Graham

Natalie Graham is an Associate in the Professional Liability team at Barlow Lyde & Gilbert. Specialising in insurance disputes, she handles a broad range of claims against professionals, including architects, quantity surveyors, structural engineers and valuers. She has extensive experience of the Pre-Action Protocol for Construction and Engineering Disputes and of the rules and procedures applicable to proceedings in the Technology and Construction Court. She is a regular contributor of articles to internal and insurance industry publications.

Tony Gregory

Tony Gregory is Managing Director of Insurance Market Conferences. He had many years experience in the London Market underwriting Liability and Professional Indemnity business, before establishing IMC. He is a Fellow of the Chartered Insurance Institute. He was the leader of the First Edition of the Insurance Institute of London's Research Group on *Professional Indemnity Insurance*.

Susan Langley

Susan Langley is a training consultant with Insurance Market Conferences Ltd, specialising in Professional Indemnity and Liability training. She has had many years experience in the London market with some of the leading broking firms, dealing with PI and Liability business. She is a member of the Insurance Institute of London's Research Study Group on Professional Indemnity Insurance.

John Moore

John Moore is Claims Director of Wren Managers Limited. He is joint editor of the Insurance Institutes of London's Research Study Group on *Professional Indemnity Insurance*, and is leader of their Research Group on *Handling Professional and Liability Claims*. He was the author of the Professional Insurance chapter of *The Construction Law Handbook*.

Neil Park

Neil Park is a consultant and trainer specialising in Professional Indemnity business. He has many years experience as an insurance broker principally working in the London market. He dealt with major corporate and U.K. multinational business and also spent four years in Canada as broking client manager to a Big Four Accounting firm.

Harriet Quiney

Harriet Quiney is a solicitor in the financial services group at Fishburns, a specialist professional indemnity practice. She has considerable experience dealing with professional negligence cases involving financial advisers, trustees, pension benefit consultants, accountants and solicitors. In particular she specialises in claims against firms regulated by the Financial Services Authority, including defending firms and individuals in FSA enforcement proceedings and advising on skilled persons' reports. Harriet is also an expert in Financial Ombudsman Service procedure and practice and has drafted policy wordings for regulated firms.

Sarah Stocks

Sarah Stocks is an associate in the insurance and reinsurance litigation group at Herbert Smith. She works primarily on cases involving brokers' negligence and has spent six months on secondment in the legal department of a major insurance broker in the city.

Denis Whelan

Denis Whelan is a Senior Associate in the Financial Institutions team at Barlow Lyde & Gilbert. Specialising in insurance and reinsurance dispute resolution, he handles a broad range of arbitration and litigation, much of it international. He has a particular emphasis on financial institutions matters and FSA regulatory work. He has advised extensively on policy wording and coverage matters and also new product development. He is currently engaged in acting for a large number of financial institutions and their insurers in connection with the alleged mis-selling of Split Capital Investment Trusts. He is a co-author of Reinsurance Practice and the Law and has written widely in numerous insurance and reinsurance industry publications.