



## **PROFESSIONAL INDEMNITY INSURANCE: DECISIONS AND VISIONS, RATIONALE AND REALITY**

**26 - 27 February 2013  
Manchester**

### **THE CONFERENCE**

This Conference highlights current issues facing the Professional Indemnity market and suggests ways to approach them. Presentations will provide an analysis of:

- The state of the market
- Emerging issues facing the market
- Decisions and developments in policy wordings
- Developments in individual professions – structures, regulation and coverage
- Significant legal decisions which are impacting on the professions' exposures
- Issues in claims handling

Following each presentation, time is set aside for delegates to discuss points. There will be further opportunity for participants to contribute to the Symposium and raise issues.

This event has brought together some expert speakers and invites you to participate in discussions on Professional Indemnity insurance issues with presenters and other delegates who have experience in this area.

### **WHO IS THE CONFERENCE FOR?**

This Conference is for anyone involved in Professional Indemnity Insurance. Whether delegates have been in the Professional Indemnity business for two weeks or twenty years there will be a great deal of interest for everyone.

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IMC EVENTS LTD

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# CONFERENCE PROGRAMME

## **Chairman's Introduction**

***Deborah Hall***

## **A review of the Professional Indemnity Market**

***Trevor Meadowcroft***

## **Insurance Brokers: Feeling the Heat**

***Ian McConkey***

- A fire in Grantham
- Four little words
- A future in court

## **Risk Management for Professionals: Life in a Silo**

***Tom McGrath***

## **Liabilities in the Construction Professions**

***Ruth Lawrence and Jonathan Anslow***

## **The World of Solicitors**

***Jason Nash***

- Recent developments in solicitors' liability
- The end of the ARP
- Alternative Business Structures

## **The Numbers Game: Notification, Allocation and Aggregation**

***Tony Gregory***

- When two becomes one
- Going blind at 32 to 1
- All or nothing at 22,000 to 1
- Making a heap of all your losses

## **The Miscellaneous Minefield**

***Steve Abrahams***

- The commoditisation of Professional Indemnity and the risks to both insurer and insured
- The dangers of "add-ons" to cover
- Challenges of some miscellaneous risks
- Mis-selling - not just an IFA issue

## **Cyber Insurance: Liabilities and Policy Coverage**

***Jamie Monck-Mason***

- Outsourcing data processing - the Cloud and legislation on outsourcing.
- Handling data breach and media liability claims
- coverage pitfalls and costs control

## **Professional Liabilities: The Ebbs and Flows**

### ***Digby Jess***

- A review of recent developments in the law relating to professional liabilities

## **Aspects of Policy Wordings**

### ***Andrew Ward***

- Fraud and dishonesty
- Mitigation Costs
- Recent decisions on policy wordings

## **Surveyors and Valuers: Liability and Aspects of Coverage**

### ***James Preece***

- The environment for surveyors and valuers
- Limitation issues
- Recent developments in valuers' liabilities

## **Aspects of Claims Handling**

### ***John Moore***

- Getting to the Crux
- Managing the Team
- Negotiation and Mediation
- Christmas Cracker Mottos

## **Financial Advisers: One Step Forward, Two Steps Back? A round-up of recent developments affecting financial advisers and their insurers**

### ***Harriet Quiney***

- Arch Cru Consumer Redress Scheme and its implications for mis-selling cases
- Clark & Clark v In Focus Asset Management & Tax Solutions Ltd – do IFAs now face double jeopardy?
- FSCS v Various IFAs (Keydata) - lessons to be learned from a compensation scheme on the war path.

## **SYMPOSIUM**

The panel of experts will lead a discussion on issues raised by the audience

## THE PANEL

### CHAIRPERSON

#### DEBORAH HALL

Deborah Hall was trained by BBC TV as a journalist and presenter. She presented the local and national news on the BBC for 12 years and was a news anchor on BBC World for 6 years. Deborah presents The Law Channel and The Accountants' Channel for the Einstein Network, GSTV for BT Global Services, The Surveyors' and Architects' Channels for RIBA and the Risk Channel for the insurance market. As a trainer of Presentation and Media Skills, Deborah has worked with senior executives from BT, Vodafone, Ofcom, The Law Society, Merrill Lynch, European Union, WHO, Health Protection Agency and CAREC in the Caribbean. Deborah is the media consultant for Bill Gates' WHO's worldwide programme to vaccinate the poor. She has chaired many Professional Indemnity and Liability Insurance Conferences.

### SPEAKERS

#### STEVE ABRAHAMS

Steve Abrahams is Professional Indemnity Portfolio Manager at Royal Sun Alliance where he is responsible for the management of the strategic and technical aspects of RSA's Professional Indemnity account. He has over 25 years experience of underwriting in the London market, including designing insurance products and solutions, and he is a member of various professional body liaison committees, including RICS and Chartered Accountants.

#### JONATHAN ANSLOW

Jonathan Anslow is an Associate in the Insurance Business Group of Hill Dickinson, having previously been a CNC Engineer. He acts for a wide range of construction professionals and their Insurers and is frequently instructed to defend £multi-million disputes. He is experienced in all areas of dispute resolution, including litigation, arbitration, adjudication, expert determination and mediation.

#### 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 and a Vice-President of the Insurance Institute of London. He was the leader of the Insurance Institute of London's Research Groups on *Professional Indemnity Insurance* (First Edition) and of *Liability and Accident Compensation*.

#### DIGBY JESS

Dr Digby Jess practises from Exchange Chambers in Manchester. He has over 30 years experience in insurance coverage disputes. His practice involves advising on and representing parties over the whole spectrum insurances. He acts for both insurers and insureds. In particular he deals with professional negligence claims against insurance brokers and loss adjusters. He is also the author of a number of insurance law textbooks.

#### RUTH LAWRENCE

Ruth Lawrence is a partner in and head of the insurance business group at Hill Dickinson. Her practice has a particular focus on defending heavyweight claims against architects and engineers.

**TREVOR MEADOWCROFT**

Trevor Meadowcroft is Lead Trading Underwriting Manager for Aviva. He has dealt with Professional Indemnity insurance for many years and has developed an in-depth knowledge of most classes of the UK based professions. He has sat on many liaison and market committees and is current Chairman of the Professional Indemnity Forum.

**IAN MCCONKEY**

Ian McConkey is a partner in DAC Beachcroft and head of the team in Manchester. He has experience of handling professional indemnity claims on behalf of a wide range of professionals. He is a Solicitor Advocate (Higher Courts Civil) and also has considerable mediation experience.

**THOMAS MCGRATH CBE**

Tom McGrath was until recently Regional Director for Marsh on Northern Ireland. He has been engaged as an Expert Witness in a number of High Court and County Court actions. These have involved preparing reports and appearing as a witness in policy wording disputes and in acting for Claimants and Defendants where Insurance Brokers have been sued for professional negligence.

**JAMIE MONCK-MASON**

Jamie Monck-Mason is a partner and head of Hill Dickinson's professional and financial risks team. He leads the firm's cyber liability strategy. He is also involved with some large construction-based cases and the defence of (often fraud-related) overvaluation claims against surveyors.

**JOHN MOORE**

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

**JASON NASH**

Jason Nash is a partner in Berryman's Lacey Mawer in Manchester. He acts for wide range of professionals, including solicitors, accountants and construction professionals.

**JAMES PREECE**

James Preece is a partner of Clyde & Co. in the professional and commercial disputes team in Manchester. He defends a wide range of professions including lawyers, surveyors, brokers, financial advisers, architects, accountants, fund managers and pensions professionals. He regularly advises on insurance coverage, as well as defending professionals in proceedings brought by regulatory bodies.

**HARRIET QUINEY**

Harriet Quiney is a Partner in Fishburns. She acts in professional negligence cases involving financial advisers, insurance brokers, mortgage brokers, trustees, pension benefit consultants, accountants and solicitors. As well as acting for firms and insurers in professional indemnity claims she has experience of 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 lectured and written articles on this subject.

**ANDREW WARD**

Andrew Ward practices from Exchange Chambers in Manchester. His practice comprises insurance policy coverage advice relating to personal injury, professional indemnity, motor, and employers' and public liability insurance. He also advises upon insurance brokers' professional negligence actions.

## CONFERENCE INFORMATION

### **DATES**

26<sup>th</sup> - 27<sup>th</sup> February 2013

26<sup>th</sup> February 9.00am – 6.15pm

27<sup>th</sup> February 9.00am – 5.00pm

### **VENUE**

Novotel, 21 Dickinson Street, Manchester M1 4LX

### **FEES**

The fee for the two-day Conference is £325.00 +VAT.

The price includes refreshments, lunch, reception, conference documentation and a copy of the Insurance Institute of London's *Professional Indemnity Insurance: Case Law, Regulation and Practice* (all 647 pages of it!)

### **SOLICITORS REGULATORY AUTHORITY CPD SCHEME**

This Conference qualifies towards Continuing Professional Development

### **CII CPD SCHEME**

This Conference may be regarded as a structured activity for the purpose of CPD

### **BOOKINGS**

To book places for the Conference, please contact Tony Gregory by email: [tony.gregory@imc-seminars.com](mailto:tony.gregory@imc-seminars.com) or telephone: 01491 872 839 / 07712 482 212

### **PLEASE NOTE**

Joining instructions will be emailed 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 change the speakers and/or alter the content and timing of the programme.