

**OBITUARY:
DERRICK GORDON COLE
(1926-2011)**

It was with very great sadness that we learnt that Derrick Cole had died suddenly and peacefully at his home in Bromley Common on 23 March 2011, at the age of 84. Derrick had been such an active and regular participant in so many BILA activities over so many years, only in recent weeks asking pertinent questions of Law Commissioner, David Hertzell at a BILA lunchtime talk, that his loss will be felt all the more keenly.

Indeed, in the week before he died he had personally visited the Law Commission to help ensure that a number of the issues he had championed over a long period, concerning what he considered the fair treatment of small business insureds and their brokers in any envisaged reform of insurance law, should be afforded due weight. BILA is just one of very many beneficiaries of Derrick's energetic pursuit of causes he considered merited attention and support. We should all be thankful that he included BILA among these.

Before joining the BILA Committee in the 1980s Derrick had enjoyed a long career in insurance with Eagle Star and latterly with brokers, Willis, from whom he had retired as an executive director. He then turned his energies to providing expert witness services. By the time he had stopped acting as an expert in his late seventies he had both helped to found an association of experts, as well as delivered personally over 200 expert reports to Court, principally on questions of broker professional negligence.

Derrick saw the great importance of the worlds of insurance and the law maintaining the highest standards and that to do so they needed fully to understand and communicate with one another. Derrick's aims were therefore wholly at one with those of BILA. That helped to explain why his contribution was so valued. He was particularly keen that insurance practitioners should be involved in the Association so as to ensure that the practical implications of decisions on insurance law could be fully debated.

As a popular and effective Chairman of BILA from 1994 to 1996 he oversaw a successful range of events and activities, taking particular pride and pleasure in representing BILA at the IXth AIDA World Congress in Sydney in 1994 (and later again at the Xth World Congress in Marrakech in 1998). After stepping down as Chairman, Derrick continued to play an active role in Committee affairs, becoming a BILA Vice President and also the Chairman of the BILA Charitable Trustees.

Derrick was for many years a proponent of insurance law reform, forming a BILA working party to consider this in the late 1980s. Derrick was the prime mover behind the setting up in the late 1990s of a small BILA sub-committee to consider the merits of pressing the Law Commission to review once again the case for reform. This paved the way for a fuller BILA Sub-Committee later to be formed in December 2000 to conduct a more detailed examination of various issues across different insurance classes,

chaired by Adrian Hamilton QC, to which Derrick acted as Secretary. While the Sub-Committee conducted its work the Charitable Trustees also arranged for a lecture to be delivered on the same theme in March 2001 by Lord Justice Longmore, which caused many to reconsider their views. The Sub-Committee then delivered its final report in September 2002.

When in January 2006 the Law Commissions finally announced that they were publishing a joint Scoping Paper upon Insurance Contract Law, the then Law Commissioner, Professor Hugh Beale QC paid generous tribute to BILA for its combined efforts in helping to persuade a reluctant Treasury to agree to the inclusion of the project as one meriting attention for reform. As the Law Commissions now embark upon some of the closing stages of at least the first phase of their attempted enactment of the resulting reforms, it is fitting for BILA to recognise Derrick's significant role in this process. This, together with the very fine example Derrick set to so many in his wake in how to discharge their BILA duties effectively, conscientiously and always with a kind, gentle and considerate manner, will serve as just two of many legacies to celebrate.

Derrick leaves not only a widow, Shirley, known fondly to many involved with BILA activities, but also three sons, two stepsons and very many friends and former colleagues both here and abroad. He was universally regarded with affection and will be greatly missed.

Tim Hardy

Alison Green