

#### JOINT MEETING WITH THE INSURANCE INSTITUTE OF LONDON

A joint meeting with members of the Insurance Institute of London was held on the evening of 9th March in the Council Chamber of the Chartered Insurance Institute. Pat Saxton (BILA Chairman) presided and the speaker was Alan Dolden (Vice-Chairman) his subject being "Some aspects of the law of tort". The talk was aimed at examination students and the Chamber was full to capacity - an audience of more than 100 - most of them young members.

Mr. Dolden circulated copies of an ingenious "Menu" styled "Tort de negligence" and commended his services as Chef in the various offerings he submitted for digestion. It contained three ingredients - duty, breach and damage. Underlined by Lord Denning's precept that "duty" or "no duty" was simply a way of limiting the range of liability the first dish was "Spiked eyeball a la mode d'Avocat" which illustrated the potential of a Lloyd's broker being accidentally injured by the point of an umbrella. Apart from the loss of his eye, there were numerous overtones such as his wife's shock and a short-closing which involved a deficiency on a fire claim. There followed a recital of conditions under which duty is negated and notes of special construction cases.

Next on the menu came "Citroen flambé" coupled with "Banger and Flash" - where gas seeped through a manhole cover and a vehicle explosion resulted - followed by useful guide lines when considering building contractors, accountants, surveyors and valuers, solicitors, public authorities, schools, receivers/liquidators and duty owed to rescuers - like firemen. The legality of shock claims was reviewed in the next dish - "Schoc o'late arrival" - and the section concluded with "Escargot au Stevenson avec Sauce D'Onoghue". The first course in the breach section proved to be "Damson in distress" with amusing sketches of the Harlow UDC toilet in which a lady was unwittingly imprisoned and the man on the top of the Clapham bus with an outside umbrella, illustrating respectively the reasonable woman and the reasonable man. Factors to be taken into account were the magnitude of risk to others (gravity and likelihood of injury) as well as the importance of the object to be attained and the cost of precautions. Then followed notes on professional persons and traffic accidents, and two further titbits "Bare ribs" and "Potage de la matron" illustrating particular cases.

Under the head of damage, the extent of remoteness was examined and "Oeufs a la cranium" served - to illustrate the egg-shell skull case but "Half portions" were useful supplements dealing with contributory negligence and contribution between tortfeasors, limitation and the maxims "Volenti" and "Res ipsa". (In the latter connection 'If it had not been in Latin nobody would have called in a principle!).

In a brief but witty speech, Mrs. Fiona Lilley (Deputy-Chairman of the Insurance Institute of London Young People's Group) thanked Mr. Dolden on behalf of all those present and remarked that his most palatable menu would be of great assistance to members facing their examinations in a month's time.