

THE 1987 LONDON COLLOQUIUM

Insurers worldwide have watched with disquiet as judges in California hand down verdicts where the desire to make financial provision for Plaintiffs leads to the abandonment of traditional principles of liability, both in contract and tort. It is described, perjoratively, as social engineering. But insurance is being linked to social change in other countries too. There are schemes for replacing traditional liabilities by "strict liability" and "no-fault schemes". There are solutions which seek to re-distribute financial burdens across society by means of insurance. These developments will be the subject of study at the forthcoming London Colloquium where the theme is: INSURANCE AS AN INSTRUMENT OF SOCIAL ENGINEERING.

Those members of the Association who were fortunate recently to hear Richard Willard, Assistant Attorney General of the United States, on the subject of tort reform in that country, will appreciate just what attention is now being drawn to judicial activism and to the ways in which substantive law can be/and is being changed to restrict the financial consequences of pro-Plaintiff judgements and to provide a potentially more cost-effective system for compensating the victims of accidents. In addition to an analysis of U.S. developments there will be contributions from Sir Christopher Staughton, the judge presiding in the Commercial Court in London, as well as contributions from Scandinavia and Switzerland. Developments in Australia and New Zealand will be the subject of papers from Trevor Haines of the Australian Attorney-General's department and Trevor Roberts, Chairman of the New Zealand Insurance Council. The diversity of the national systems within Europe will be studied by Pierre Thomas in the context of a paper entitled "Motoring Across Europe". Developments in compulsory insurance will equally be studied in the context of "Insurance and The Protection of the Environment". Principal contributions on this topic include Malcolm Aickin of Toplis & Harding, R.C. Insinger of Haagman & Co., (Holland) and James Morrow of Nationwide Insurance Companies (U.S.A.). The Colloquium will also consider how insurance, whether by state welfare schemes or by private provision for health and pensions, provides an important part of the framework for 20th Century society. In contrast to the countries where the individual makes his own choice, Dr. Karoly Bard, recently appointed Insurance Commissioner, will give the view from his vantage point in Hungary.

As is customary at the London Colloquium, papers from principal contributors are but the starting point of a discussion, the purpose of which is to examine on a comparative basis the theoretical and practical solutions to problems which are of continuing interest to insurers and lawyers worldwide.

The Colloquium has already attracted delegates from 15 countries around the World and only a few places remain. Applications to attend the London Colloquium, which is to be held from 15th to 17th July 1987 at University College, should be made to the Colloquium organisers: A.R.A. Conference Services, 90 Bedford Court Mansions, Bedford Avenue, London. WC1B 3AE. Telephone: (01) 637-0333.

FOOT NOTE: Since writing this piece the number of places available has dropped to approximately 10.

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AUSTRALIAN INSURANCE LAW ASSOCIATION PRESS RELEASE

Since its inception in 1983, the Australian Insurance Law Association (AILA) has developed rapidly with energetic Committees now active in New South Wales, Victoria and Queensland and some 700 members Australia-wide and in New Zealand.

Two events of significance later this year will be the first Annual Conference of AILA to be held at the Hyatt Kingsgate Hotel, Sydney from Sunday 2nd to Tuesday 4th August, 1987 and the announcement by Association President, Frank Hoffmann, of establishment of the AILA Prize, which is expected to make an outstanding contribution to scholarship in the field of insurance law.

First Annual Conference: 2nd to 4th August, 1987

Themes for the Conference will include the INSURANCE CONTRACTS ACT and the INSURANCE (AGENTS AND BROKERS) ACT revisited, LIFE AND SUPERANNUATION INSURANCE, and the FUTURE OF THE INDUSTRY.

In presenting this varied programme, discussion will centre on the Contracts Act and will cover the practical implications to insurers is the principle of utmost good faith, the test of the insurer as opposed to the prudent underwriter, and hypothetical case studies of the insurer's remedies for non-disclosure and non-disclosure as a basis for policy cancellation.

The programme will also include a welcoming cocktail party and hospitality for interstate registrants on the Sunday evening, working lunches on the