

EDITORIAL

One of the risks that many insurers (with the benefit of hindsight) now see as being "uninsurable" is the risk of social change. Social change in this context includes both changes of public attitudes (acquiring the habit of suing people) as well as changes in legislation (Governments deciding to recoup health service costs from tortfeasors). Some might credit Martyn Day as being one of the reasons for the pace of this type of social change in the UK. I hope that readers within the insurance industry will regard his article as instructive.

English liability insurers are better off than some of their foreign counterparts because of the English Courts' abhorrence of the pure economic loss. Tony Weir, one of Cambridge's most stimulating lecturers, has reviewed this subject. This article looks not only at the English position but also compares it with the position in some of our continental neighbours

It is rare that one can persuade the European Commission to allow articles to be published by its staff. I am therefore very grateful both to Carles Esteva for having written his lucid explanation of Commission's competition policy in the insurance sector as well as to the Commission for permitting its publication. The Commission's insurance team numbers more than a dozen staff, and my information is that they are beginning to initiate investigations into parts of the insurance sector where they suspect that free competition is being inhibited.

Subrogation rights was a subject covered by Richard Aitkens QC at our Annual Conference. The article forms a good reference point for those involved in subrogation recoveries. The Journal is rounded off by Rupert Boswall's review.

Finally, a reminder. The Journal really belongs to its Readers. I try to respond to my perception of what will interest you, but sadly I am not infallible. If, therefore, there is a subject which you feel ought to be covered, please let me know. If you can suggest a possible author, so much the better! And if you have a burning wish to write an article on a particular subject, do get in touch - preferably before putting pen to paper.

I hope you enjoy reading this Journal.

Anthony Fitzsimmons