




The Insurance
Institute of
Leeds


Chartered Insurance Institute

CoverNotes

SPRING 2025

Your guide to local career
development

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 Insurance Institute of Leeds



Welcome to your Spring 2025 CoverNotes

By **Emma Vernon Dip CII, President**



My year as President has flown by and it has been an honour to represent the Insurance Institute of Leeds over the last 12 months. Thank you to all our volunteers on Council who contribute their time and efforts to ensuring we remain an important part of the Insurance and Finance industry.

If I look back on my year as President I was conscious of trying to 'reinvent the wheel' when choosing a theme. I settled on 'Continuity' in recognition of the great work our Council does, and continues to do. Over the last 12 months we've continued to arrange social and educational events for all our members in the insurance and finance industries - some of the highlights being our summer BBQ, annual quiz, leadership seminars and courses, and a trip to Lloyds of London. I feel lucky to have had the opportunity to meet so many people across the industry at all of these events and, for me, that's the highlight of engaging with your local institute, and being part of Council.

We've also continued with our commitment to supporting a local charity this year, in the form of the Leeds South & East Foodbank. My parents have volunteered for their local foodbank in East Yorkshire for the last few years, and I did some voluntary work with Leeds Council during the pandemic, which really opened my eyes to the difference foodbanks can make. I know I'm fortunate enough to have never experienced food poverty, but sadly there is a need for foodbanks in our region, and I wanted to use my role as president this year to raise awareness and funds to help combat this wherever we can. Thanks to the generosity of our members we've raised over £6,000 for the Foodbank, and we look forward to continuing to support them in 2025/26. Thank you to everyone who has donated.

I would also like to thank Alison Des-Rosiers and our dinner team for planning another incredible Annual Dinner! It was an amazing evening to round off my Presidential year, and the kind words of feedback from our guests show that this event continues to be one of the highlights of the insurance year.

As we look to 2025/26, and an exciting year for the Insurance Institute of Leeds as we run via a committee of past-presidents, I would like to thank everyone on Council for their support and encourage all members to continue to engage with our local Institute.

Quiz Night

By **Holly Copsey ACII, AON**

On Tuesday 28th January we held our first social of the year, our famous Quiz! For the second time we held the event at Mad Frans and we sold out which was a great start to the 2025 social calendar!



Fun, food and a few drinks our quiz was underway with our great host Chris Lockwood. The audience had to help him with the Manhattan ingredient 'Angostura bitters' when google pronounce failed him, but he did a great job through the 5 rounds.

With three teams of fourteen neck and neck, the final "Celebrities when they were young" round saw "Points for Trying" a Markel team taking 1st place.

£448.00 was raised over the duration of the evening from ticket sales and our raffle, the prize of champagne and chocolates kindly donated by Marsh.

All proceeds from the evening will be going to our presidents, Emmas chosen charity for the year Leeds South and East Foodbank.

Please look out for future social events on our Leeds Insurance Institute Website page or LinkedIn!





Travel insurance and cross border; accidents abroad and forum conveniens

By **Victoria Edwards, Weightmans LLP**

Following the UK leaving the European Union on the 31 January 2020, the travel industry has been hit hard for several reasons, affecting tour operators, suppliers, airlines, travel agents, insurers and claimants to name but a few.

Pre-Brexit, we had the ability to pursue claims against foreign insurers in the courts of England and Wales even if the accident occurred on foreign soil. Now, we are left with a minefield and no substantial case law confirming whether claims can be successfully pursued in England and Wales.

If a claimant wishes to pursue a claim outside of the jurisdiction they will need to obtain the court's permission. To do so they must show that England is the correct jurisdiction by passing the following three tests:

- 1 The merits test:** prove that there is a serious issue to be tried on the merits of the case and that it falls within one of the jurisdictional gateways.
- 2 The Gateway test:** show that the claim falls within one of the jurisdictional gateways for which leave to serve outside may be given under the civil procedure rules.
- 3 Finally, the Forum Conveniens test (FC 3 Principle):** that England is clearly the appropriate forum to hear the case.

It is easy for a defendant to challenge jurisdiction as all they have to show is "that England is not the natural or appropriate forum for the trial" and that "there is another available forum which is clearly or distinctly more appropriate than the English forum", making it much harder for the claimant to prove that the case should stay in England. It is not enough for a claimant to reside in England or that they can pursue the third party's insurers. The claimant has to prove that there is a close connection and that it is clear that the English courts are the correct forum.

The FC Principle was supposed to give the English courts a predictable way to filter out cases which should be brought in a different jurisdiction. Instead, the recent case law has shown quite the opposite.

In the case of *Graham v Fidelidade- Companhia De Seguros SA* [2024] EWHC 2010 (KB) ("Graham") the claim succeeded under the FC Principle. The accident occurred in Portugal but the claimant argued that English jurisdiction should apply as the claimant had no real connection to Portugal, had mobility issues, could be examined in the UK, and all of his witnesses were based in the UK. Despite the claim being governed by Portuguese law in respect of both quantum and liability the claimant argued that it was not unusual for the defendant to be pursued from a foreign jurisdiction from time to time. The claimant was successful, and the case was ordered to be heard in the English courts.

However, the opposite occurred in *Aulla v Reale Segurothe Generales SA* (unreported) (“Aulla”) which was heard only six weeks after *Graham*. This was a road traffic accident where the claimant had spent five weeks in Spanish hospitals. The claim was against the foreign insurer and the facts were largely the same as in *Graham*. The court decided that England

was not the correct forum to hear the claim as the accident happened in Spain, Spanish law applied to the claim, (it did not matter that the English courts could apply Spanish law to the claim), and that it would be quicker and more efficient for the claim to be heard in Spain.

These two similar cases, heard literally weeks apart yet producing two completely opposite results, show that despite the FC Principle being in place there is no certainty, and since the loss of the recast regulation it is incredibly difficult to advise clients.

For claimants, it means that they still have the ability to issue in the English courts and serve effectively outside the jurisdiction, but for defendants they can maintain that the courts don't have jurisdiction under the three tests to avoid English litigation costs.

When considering arguments on where proceedings should be issued and served, we should consider the following principles:

- 1 Consider the practicalities of the judge applying foreign law in the English court. Is it law that will be familiar to the court?
- 2 What experts will be needed and where will they be located?
- 3 Where are the witnesses located, and will you need an interpreter?
- 4 Where is the evidence located and how much will need to be translated?
- 5 How easy will it be to give evidence, for example by video link, from the foreign court in question in the English courts and vice versa.
- 6 Can the evidence be given remotely?
- 7 Timing, delays with the court etc.
- 8 Merits and demerits of the English court having jurisdiction.

A final note; after getting past the FC Principle a claimant and their advisors should also consider the practicality of enforcement. If the claimant has to enforce any judgment outside the jurisdiction, would they still need to have the case heard in that jurisdiction to be successful? A topic to discuss on another occasion!

Victoria has over 24 years' experience and joined Weightmans in September 2024 as a Legal Director. Victoria heads their travel team. Her knowledge spans from 'slips' and 'trips' to complex high value accidents in foreign jurisdictions all over the world. She has vast experience in claims handling from complex loss to policy coverage.

At Weightmans we bring together experts from across our full-service business to cover all the legal bases for our travel clients, to achieve the right commercial outcomes for them. Whether it's advice on insurance claims, cyber strategies, ESG or commercial contracts, we can help. Through our nine UK offices we have the experience and resources to deal with the most complex legal needs, both locally and internationally via Insurance Law Global and our extensive informal network.

Our relationships are based on a deep understanding of our clients' businesses and consistently deliver results exceeding expectations. As a leading player in the travel space, we have a proven track record in getting the right results for our clients which include tour and cruise operators, hotel companies, airlines and coach operators – and their insurers.

Now, we are left with a minefield and no substantial case law confirming whether claims can be successfully pursued in England and Wales.

Harrogate Local Institute

By Phoebe Webb Cert CII, Pen Underwriting



The Harrogate Local Committee finished 2024 with a successful Annual Dinner where we welcomed 175 attendees from across the insurance market.

We have received positive feedback from the industry and we are excited to announce we have booked our venue for Friday 28th November 2025!

A total of £1,845 was donated to our 2024 chosen charities, Refuge and The Insurance Charities which is a great result and we thank you for your generosity.

We were joined by fellow Leeds Council Committee members and the Emerging Insurance Professionals, thank you for your ongoing support! Over the 2025-2026 period we will be organising Education and Social events along with our Annual Dinner.

We would like to extend our thanks to the DoubleTree by Hilton Harrogate Majestic Hotel & Spa, for their hospitality and service throughout the evening and the Chair of the Harrogate Committee Phoebe Webb and the rest of the Council for organising the evening.

An excellent night was had and thank you to all our attendees! We look forward to welcoming you back for 2025 and catching up with you all this year.

AI and the Future of Insurance

By Melanie Jordan, Attis

On Tuesday 8th October the Insurance Institutes of the North East (including Leeds, Newcastle, Sheffield, Hull, York, Middlesbrough, Halifax and Bradford) came together to run a full day session at Wetherby Racecourse on the topic of AI.

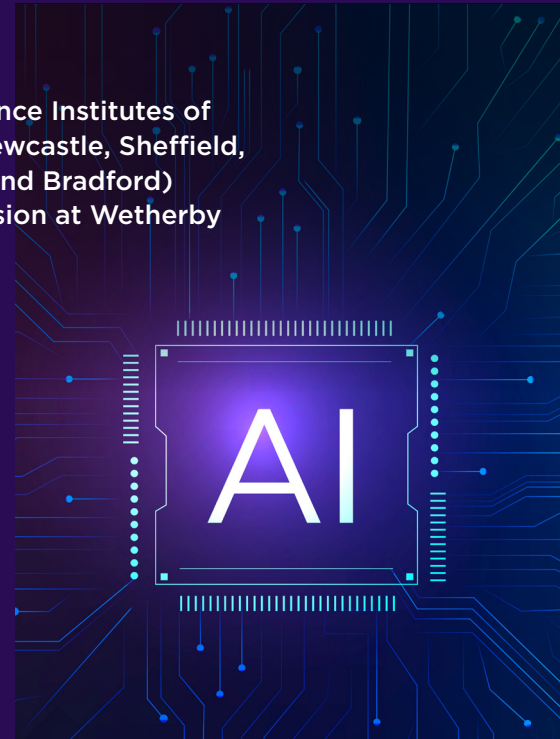
Throughout the day the diverse group of attendees heard from a leading panel of experts who came both from our sector and more niche areas.

The seminar day sought to shed light on AI and what this looks like for the future of our profession. While many people look upon AI with a mixture of fear and distrust, hopefully the day left our delegates with new insights into this area. People were asked to think about what problems you might need solving and whether AI could possibly help. This is about using AI as a tool to allow the actual people to do the specialised parts of their jobs better and have more time/focus to do so (Augmentation rather than replacement).

We also heard from companies that had reached the next stage in using AI within their own businesses and how this was working in practical terms. Other ideas of ways that we could all use AI to our advantage were provided but also some of the pitfalls to be aware of.

Overall there was a buzz in the room as people discussed this exciting and very current topic and what it could mean for their own working lives in the future.

A big thank you to the NERF team and in particular Adrian Jolly and Veronica Wilkinson for putting the day together.



Leeds Institute annual dinner

By **Bethan Atwell-Skevington ACII, Aviva**

The Annual Dinner was held February 2025, and we were once again back at the Royal Armouries, Leeds, with the venues place as a Leeds Institute tradition being comfortably established! It was a wonderful night for all who attended, and we've received great feedback from our guests.

We've so grateful to all those who came out or contributed to the evening, with a special mention to our sponsors Aston Charles, Liberty Specialty Markets, Marsh Group and Weightmans – your support helped ensure an incredible night was had by all.

473 members and guests attended, which was an incredible turn-out! With the help of all those on the night we were able to make significant donations to The Insurance Charities and our President Emma Vernon's chosen charity, Leeds South & East Foodbank. Speakers from the Foodbank attended and gave a wonderful speech on the importance of their work and the help our donations give to those in need.



The dinner welcomed some of our Exam prize winners, who enjoyed the evening with our own council member Chris Lockwood, who made sure it was a memorable night for all!

Leeds Institute winners were:

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| <ul style="list-style-type: none">• Best Advanced Diploma in Insurance completion - ACII (Bartlett Exam Prize)
<i>Helen Broadbent</i>• Best Diploma in Insurance completion (The Trevor Williamson Memorial Prize)
<i>Dominic Smith</i>• Best Advanced Diploma in Financial Planning completion
<i>Edward Ainley</i>• Best Certificate in Insurance completion
<i>Augustus Tanner</i>• Certificate in Financial Services
<i>Oliver Zuba</i> | <ul style="list-style-type: none">• Diploma in Financial Planning
<i>Mark McLaughlin</i>• Diploma in Regulated Financial Planning
<i>Elliot Hayes-Johnston</i>• Fellowship of the PFS
<i>George Patrick Meehan</i>• National Prize for excellence in the completion of core units in the Diploma in Insurance (The Stanley Brown Prize)
Awarded for outstanding performance of the core unit M96 – Liability Insurance
<i>Adele Rushton</i> |
|--|--|



This year we tried something new and rolled out the poker tables as part of the evenings entertainment, and they were a big hit with all who attended, whether or not they ended up being a big winner that night!

Alongside this we welcomed back the magic photobooth, which resulted in some great shots being taken through the evening, as well as a live band, which got everyone up on the dance floor in good spirits.

Once again, the service provided by the Royal Armouries in the lead up to the dinner and on the night itself was excellent. We will be speaking to them soon to book in for next years dinner, but for now please note the date, this will be Friday the 6th of February.

473 members and guests attended, which was an incredible turn-out!

My thanks go to Alison Des-Rosiers who did a wonderful job organising the dinner, with support from President Emma Vernon and the rest of the Dinner Committee. We're excited with what the 2026 Dinner will bring, so please watch out for announcements and updates on this throughout the coming year.



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