

insurance services

Overview of the team

The Gateley insurance services team provides a world class service to an international client base. Based in London, the team is supported by our national and international office network. Our experienced team of lawyers, described recently by one of the leading guides to the profession as *'a real force in the market that does very thorough and impressive work'*, is widely recognised as being among the best in the industry.

Our team provides a comprehensive service to the insurance industry. We act for insurers, brokers, underwriting and managing agents and intermediaries, Lloyd's Syndicates, mutual associations (P&I Clubs), claims handlers and risk managers. Our practice is not confined to representing insurance providers and professionals. We regularly act on behalf of policy holders and self-insured enterprises across a broad range of business sectors.

We understand that running a business involves managing often complex and substantial risk. Managing risk and reducing the financial consequences of risks to your business requires insurance. This is the very core of much of our work. Not only are our lawyers experts in insurance and risk but we also place a priority on understanding our clients' business so that our advice furthers their commercial objectives on a pragmatic, cost effective basis.

Where appropriate, we can tailor our team of experts to your specific requirements. We have the flexibility to configure teams comprising lawyers across departments such as real estate, corporate, construction and regulatory throughout our network of offices.

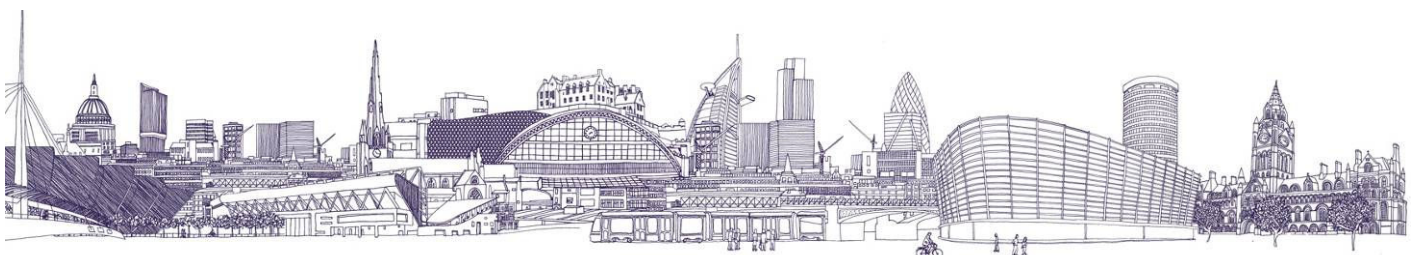
We have advised clients on insurance matters both nationally and internationally for many years. We have established an extensive network of lawyers and other insurance professionals based throughout the world whom we regularly advise on matters of English insurance law affecting policies in foreign jurisdictions. Additionally, this comprehensive network allows us to obtain fast, accurate and local knowledge on a cost effective basis to protect the interests of our clients across the globe.

We regularly advise on coverage disputes, policy interpretation and issues involving misrepresentation, non-disclosure, fraud and breach of warranty. We also pursue recovery actions against parties responsible for policy holders' losses and defend claims brought against policy holders, acting for the insurers or, where there is no policy coverage, for the policy holders themselves. We provide risk management advice and training and have a network of contacts in the insurance industry who can provide additional support to our clients.

The team's market leading service extends across both marine and non-marine insurance sectors.

Marine insurance

We are a market leader in advising on marine risks. Many such risks are written in London by insurance companies, Lloyd's Syndicates and by mutual associations (P&I clubs), many of whom we count as longstanding clients. The Marine Insurance Act 1906 codified English marine insurance law and applies to the insurance of losses incident to a marine adventure. We have for many years advised clients on the often complex issues which arise in this respect.



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Our experience ranges from advice on freight liability policies, hull and machinery insurance, cargo policies, general average, war and terrorism policies through to issues affecting P&I clubs and insurance relating to yachts. We have been involved in many of the leading cases which have shaped marine insurance law and have a respected reputation throughout the industry.

Whilst we are regularly engaged in disputes arising under marine policies, our work is not confined to contentious matters. We work closely with our clients to help avoid disputes before they arise.

Members of the team have been responsible for the development and drafting of several insurance policy wordings in current use. The most recent examples of these carry the Crystal Mark of approval by the Plain English Campaign. We continue to adopt a practical and innovative approach to drafting to ensure that our clients' interests are protected.

Non-marine insurance

No matter how conventional or complex the risk involved, our non-marine practice extends through numerous business sectors covering a diverse range of physical and financial commercial risks. Our experienced team regularly advises on credit, property, energy and financial risks acting for both policy holders and insurers.

Our lawyers have recently been engaged in disputes relating to goods stored at commercial premises and various disputes arising from fire and flood damage. We have advised insurers in relation to a substantial dispute arising from a large scale fire which destroyed a retail park, represented insurers in an engineering dispute, acted for the owners of a nursing home in a policy dispute with insurers and drafted several innovative policy wordings on behalf of insurers.

Our expertise in both the marine and non-marine insurance sectors frequently gives our clients an advantage. Our comprehensive service addresses the cross section of often complex risks encountered by business on a daily basis.

For instance, a business engaged in importing clothes from the Far East to a factory or warehouse in England will not only have to be alive to the marine risks associated with carriage but may also be required to insure the goods at the warehouse in England against loss through flood or fire. In circumstances where the goods are to be used in the manufacturing process it may also be necessary to insure against any business interruption which might consequently occur. Our expertise spans all of these areas and more. In an age

where much business is conducted on an international basis our understanding and extensive practical experience of both the marine and non-marine insurance sectors gives us the edge over most of our competitors.

Surety law

Our surety team is a recognised leader in surety law and has acted in the leading cases. The team acts for insurers and surety companies in the UK and overseas. Our expertise in this field includes drafting performance bonds, guarantees, indemnities and trust deposit agreements, advising on claims and dealing with all forms of dispute resolution.

“Solid, pragmatic and balanced advice”

Legal 500

Experience

- Acting for administrators in pursuing insurance policy claims on behalf of insured companies in administration.
- Advising insureds on insurance policy claims relating to fire and theft and assisting with defences or recovery actions where there is no insurance cover.
- Acting on behalf of a freight forwarder and its insurers in relation to claims brought by the administrators of a large high street retailer. Subsequently, successfully protecting client's interests arising from numerous further claims brought by a number of suppliers based in various jurisdictions across the world.
- Advising insurers in relation to a number of high value property damage claims arising out of a substantial fire at a retail park which destroyed a shopping centre. A large number of parties were involved with the total claim running into several million pounds.
- Drafting cargo policy to be used by a leading aircraft operator.
- Acting on behalf of an established household name in relation to a multi-million pound policy dispute with insurers arising from a high profile fire at food manufacturing premises.
- Drafting freight forwarders' liability policy.
- Acting for the insured against insurers in a business interruption policy dispute arising from a fire which destroyed a nursing home.
- Advising insurers on issues of non-disclosure and fraud in dispute with insured arising from extensive storm damage at commercial premises.

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- Providing advice to clothing company in relation to a comprehensive revision of their standard business conditions and worldwide insurance coverage across a number of companies and business sectors.
- Drafting all risks policy wording for insurers.
- Protecting insurers' position in a matter progressing through the Court of Appeal concerning carriage on deck and associated insurance obligations of freight forwarders. Advising on policy dispute between insurers and insured.
- Advising French based insurers in relation to dispute arising from delayed delivery of containers of high value computer equipment.
- Retained as experts in UK insurance law in proceedings being pursued in the Czech Republic. Advising local lawyers and the court in the Czech Republic in relation to various aspects of English insurance law to include issues of misrepresentation and subrogation.
- Advising insurers in relation to litigation in the Netherlands arising from arson at commercial premises.
- Acting on behalf of insurers in defending what was eventually established as a fraudulent claim arising from fire which destroyed a yacht.
- Acting for the estate of a man killed in a plane crash in a policy dispute with the aircraft insurers.
- Acting on behalf of insurers in relation to employers liability, public liability and motor claims including claims for catastrophic injury.
- Drafting performance bonds, indemnities, guarantees and trust deposit agreements.
- Advising on subsidence claims and Third Party Walls Act disputes.
- Acting for a surety company in relation to a performance bond with a value in excess of £100 million.
- Advising insurers on completion of building projects following insolvency of a contractor.

“Excellent service and comprehensive understanding of insurance”

Marc Thomasson, Northern Marine Underwriters

“Praised for her deep knowledge of insurance-related construction matters”

Chambers UK 2011

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