

# Insurance

Our multi-disciplinary Insurance team has a strong reputation in advising the insurance sector in Ireland. We deal with all aspects of insurance law and regulation, including representing clients in the defence of liability claims and coverage disputes.

Our team draws on the expertise of a number of different departments within the firm to provide a full suite of services to our clients.

We have developed strong relationships with our clients and work hard to understand their business ethos, allowing us to deliver a service which meets their individual needs.

We consistently provide a high quality, efficient and cost-effective service which blends technical excellence with a practical commercial focus.

## *Professional Risks*

The broad extent of professional indemnity insurance written in Ireland presents an array of legal issues relating to defence of insured interests, subrogated rights and coverage at primary and excess layer. The risks presented under professional indemnity policies for solicitors, financial advisors and construction professionals in particular have been accentuated in recent years.

Our leading professional indemnity team can advise from a legal and commercial perspective. We provide advice to professional indemnity insurers across different sectors in respect of professional negligence claims.

Our lawyers hold significant experience of coverage issues particularly in relation to late or material non-disclosure, inaccurate proposal forms and failure to co-operate. The role of brokers and other intermediaries is also a frequent consideration, as are the tactics to be employed in relation to the return of premia.

An additional feature of our dispute resolution practice is a strong focus on alternative dispute resolution. Where appropriate, we will represent client interests in mediation and conciliation in order to achieve cost-effective and efficient resolution.

## *D&O Risks*

We have extensive experience advising insurers on coverage issues and assisting the insured, or their own chosen legal team, with a wide variety of legal issues that can arise under D&O practice. We are currently advising an insurer in an arbitration where they have refused indemnity to an insured director on the basis of conduct exclusion clause. We have also advised policy holders on issues ranging from a Health & Safety Authority investigation into fatal injury at a worksite to an investigation by the ODCE.

## *Claims Defence*

We specialise in handling litigation matters for most major insurers in the Irish market as well as a large number of international insurers. We also act for and advise insurance brokers, self-insured entities, semi-state bodies, claims handling agencies and loss adjusters.

*Dublin, London  
& New York*



We are experienced in handling all types of insurance defence litigation with particular focus on the areas of public liability, product liability, employer liability, motor claims, property damage, aviation and maritime, subrogation rights and coverage disputes.

We have very significant experience in handling employer liability and employment related claims, both in circumstances where the defendant is uninsured and where there is Employment Practices Liability Insurance ("EPL"). In both cases there needs to be a high degree of coordination in the investigation, handling and resolution of claims. We also have considerable expertise in identifying and handling fraudulent claims.

## Insurance Regulation

We advise clients in relation to non-contentious matters such as regulation, reinsurance and policy wording. We regularly advise clients on the impact of regulations in the areas of life and non-life insurance, re-insurance and the regulation of insurance intermediaries.

We also advise on the establishment of insurance, re-insurance and captive insurance operations in Ireland, either by EU or non-EU based insurers and on the provision of insurance services under the relevant European Union Insurance Directives.

We have represented clients on successful applications for authorisation to the Central Bank and in relation to their on-going regulatory obligations. We advise Insurers and Insurance Intermediaries on KYC legislation, client money rules, consumer protection, capital adequacy, Solvency II, Fitness and Probity, investor protection, codes of conduct, codes of marketing, corporate governance, insurance policies, re-insurance contracts and other insurance related matters.

## What Clients Say About Us...

### Our Insurance team

*"a very safe pair of hands - quite frankly, the team doesn't get things wrong."*

Chambers & Partners Europe, 2015

*For further information,  
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