

MINUTES – APIL INTERNATIONAL SIG MEETING

DATE: 29 January 2014

SUBJECT: International Personal Injury. Private International Law Developments and Local Standards in Tour Operator Claims.

LOCATION: Kingsway Hall Hotel, London

ATTENDEES: See List. Sarah Prager stood in as speaker for Andrew Spencer who was unable to make the event due to a funeral commitment.

1. Introduction

Alberto did general introductions, welcoming members to the meeting, introducing the SIG's new secretary Chris Deacon.

There was a break for tea and coffee because the venue had arranged this for the beginning of the meeting rather than midway through.

2. Speakers

Following the break, Chris Deacon introduced the speakers for the evening and the topics to be covered.

3. Local Standards (Sarah Prager)

- Previous cases on local standards and historical developments in case law.
- More recent cases, including Japp v Virgin
- Developments to watch out for in 2014, including reversal of the burden of proof as in Dawkins v Carnival applying Ward v Tesco

4. Private International Law (Matt Chapman)

- Matt discussed a case before Tugendhat J in the High Court today – judgment reserved.
- Discussion of changes to Brussels I due to come into force in 2015.
- Stylianou – jurisdictional issues
- Pike
- Rome II and applicable law – pending appeal in Wall
- Practical examples on the difficulties the courts will face when applying a foreign law in a personal injury case.

5. EC Update (Jonathan Wheeler)

6. Close