

APIL webinars

Three 'must-know' asbestos disease decisions

Tuesday, 21 July 2015

13:00 - 14:00

Zurich v IEG: another landmark mesothelioma ruling by the Supreme Court:

- o the residual applicability of the Barker apportionability rule
- o what the brand new equitable right of contribution means for
 - insurers and employers
 - employees
 - the self employed
- o why the new purposive approach to deciding disputes between insurers and their policyholders has important implications for other types of industrial disease claim and especially in claims against public authorities
- o yet more introspection on what was really meant in Fairchild, Barker, Sienkiewicz, and Durham
 - why this still matters...
- o insurers' 100% liability to compensate victims is still no panacea
 - isolated historical exposure
 - insolvent employers & the Third Party Rights Acts 1930 and 2010
 - the DMPS shortfall
- o are some mesothelioma claims so straight forward that we can expect more insurance driven reform?

Accreditation

APIL: all levels

1 CPD hour

Heneghan v Manchester Dry Docks: a radical approach to causation and apportionment of liability for lung cancer

- o can lung cancer and mesothelioma be equated in terms of liability?
- o does Fairchild apply or is that a step too far?
- o is there really only one modified rule of causation?
- o implication of Zurich for the Heneghan appeal
- o implications of Heneghan for thousands of lung cancer and other disease claims
- o mechanistic v probabilistic scientific attribution considered
- o alternative outcomes and their implications

Blackmore v Department for Community and Local Government on contributory negligence for lung cancer where the victim smoked

- o to what extent is the synergistic effect now perceived as a neutral factor?
- o is 30% the new 20% or is it a sign of worse yet to come?
- o why the Froom v Butcher principle applied in Shortell may no longer be relevant

Technical requirements

You will need access to the internet on your PC, plus audio speakers. If you do not have access to speakers you will be able to receive audio via a phone line. Further information on how to log on to the webinar will be sent via email a week before the event.

Nicholas Bevan is a senior solicitor with over 25 years' experience as a personal injury lawyer acting on behalf of individual claimants and a number of major insurance companies. Nicholas was senior counsel at Bond Pearce (now Bond Dickinson) where he advised both the insurance and personal injury departments and was also responsible for firm-wide training.

Nicholas is a fellow emeritus of APIL. He is a legal consultant, accredited mediator and well known legal commentator. He writes regularly for the New Law Journal and the Journal of Personal Injury Law.

Nicholas is particularly well known for his law reform campaigning on behalf of victims of motor accident victims and occupational disease.

