



Understanding the latest developments in international personal injury law to establish liability and mitigate risk

Personal Injury Abroad



Thursday 8 December 2011

Central London

Chaired by:

Bernard Doherty, Thirty Nine Essex Street

Speakers:

Gerard McDermott QC, Outer Temple Chambers

Sarah Prager, 1 Chancery Lane

Matthew Chapman, 1 Chancery Lane

Julian Chamberlayne, Stewarts Law LLP

Katherine Deal, 3 Hare Court

Katherine Allen, Fentons Solicitors LLP

Julie Straughan, Pierre Thomas & Partners

Marie Louise Kinsler, 2 Temple Gardens

Michael McParland, Quadrant Chambers

Attending this timely event will enable you to:

- Understand the **temporal scope** of **Rome II** in relation to accidents occurring abroad
- Consider the methods of **assessing compensation claims** arising from personal injury abroad
- Discuss the future of the **Package Travel Directive** and liability of tour operators
- Explore the challenges of **selecting a jurisdiction** in which to bring a claim
- Discuss **successful strategies** for dealing with **foreign insurers**

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Personal Injury Abroad

Why attend this conference?

Claims by those who have incurred injury while working or on holiday abroad are on the rise. Procedural, jurisdiction and choice of law concerns immediately arise when an accident occurs abroad. With recent changes to the Package Travel Directive and developments relating to the temporal scope of Rome II, it is essential that you keep up to date in this rapidly evolving area of law.

Leaders in the fields of personal injury and travel law will explore a plethora of topics from sourcing local experts in other countries to the pitfalls to avoid when dealing with foreign insurers.

Butterworths' Personal Injury Abroad conference will provide you with a comprehensive insight into the foremost developments in international personal injury law. Chaired by **Bernard Doherty** of **Thirty Nine Essex Street**, our unparalleled speaker panel will offer practical advice to ensure you can establish liability and mitigate risk.

Join our experts to address the following key questions:

- When is a holiday also a package according to the **Package Travel Directive**?
- What is to be expected when instructing **local safety standards experts**?
- What are the **pitfalls to avoid** when dealing with **foreign insurers**?
- How are **compensation claims assessed** with accidents occurring abroad?

Don't just take our word for it! Hear what delegates at our Travel Law 2011 conference said:

"Very thorough agenda with a good variety of speakers"

Julia Seary, Thomas Cook

"Good overview with excellent presenters"

Paul Forster, Jet2.com

"Very interesting – a good mix of subjects and pitched at the right level"

Alex Padfield, Hextalls Ltd

Pre-Conference Networking

All our delegates will be able to take advantage of our pre-conference online networking. Our system, Leebug, allows you to connect with other delegates, discuss and debate the issues, set up meetings and submit questions for the panels.



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Programme

Thursday 8 December 2011

08.50 Registration and coffee

09.20 **Chair's opening remarks**

[Bernard Doherty, Barrister, Thirty Nine Essex Street](#)

09.30 **Rome II**

- Implementation and interpretation to date
- Assessing the scope of Rome II
- *Homawoo*

[Gerard McDermott QC, Outer Temple Chambers](#)

10.15 **Package Travel, Package Holiday & Package Tours Regulations 1992**

- When is it a package holiday?
- Improper performance
- Defences
- Winning a claim even when it's not a package
- Case law update

[Sarah Prager, Barrister, 1 Chancery Lane](#)

11.00 Coffee

11.20 **Local safety standards**

- Overview of the local safety standard debate
- Proving a breach of local standards

[Matthew Chapman, Barrister, 1 Chancery Lane](#)

11.55 **Sourcing experts in other countries**

- Where to find them?
- Instructing local safety standards experts
- What is required of them?
- How can we ensure that reports are relevant, useful and appropriate?

[Julian Chamberlayne, Partner, Stewarts Law LLP](#)

12.40 Lunch

13.40 **Enforcement procedures and costs in other countries**

- Finding the right jurisdiction to bring a claim
- Overview of costs and funding in other EU states
- Enforcing English judgments overseas

[Katherine Deal, Barrister, 3 Hare Court](#)

[Katherine Allen, Partner, Fentons Solicitors LLP](#)

14.20 **Dealing with international insurers**

- Pitfalls to avoid
- Getting foreign insurers to pay costs
- State guarantee funds

[Julie Straughan, Consultant, Pierre Thomas & Partners](#)

15.00 Afternoon tea

15.20 **Assessment of damages**

- The pre-Rome II position: *Harding v Wealands*
- Issues for litigants post Rome II
 - Assessment in practice
 - Multipliers/discount rates
 - Interest
 - Mandatory rules
 - Public policy

[Marie Louise Kinsler, Barrister, 2 Temple Gardens](#)

16.05 **Update on claims outside the EU**

- Recap on the general principles of private international law
- Jurisdictional issues
- Choice of law issues
- Case law update

[Michael McParland, Barrister, Quadrant Chambers](#)

16.50 **Chair's closing remarks**

17.00 Conference ends

Chaired by:

Bernard Doherty is a personal injury practitioner with a broad practice, but a particular speciality in cross border claims. He is the lead author of *Accidents Abroad: International Personal Injury Claims* (Sweet & Maxwell, 2009) and has regularly published articles and lectured on European law and conflict of laws issues relevant to personal injury litigation. He represents claimants and defendants and has appeared in cases such as *Maier v Groupama Grand Est* and *Thwaites v Aviva*.

Registration

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Thursday 8 December 2011

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