

William Sturge
Consultant
BA Jurisprudence (Oxon).



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William advises on insurance and reinsurance claims on behalf of reinsurers, reinsureds and their insureds, both in the UK and worldwide. He conducts insurance and reinsurance litigation and arbitration, acts in professional indemnity and all forms of financial lines matters and in international trade matters. William also provides non-contentious insurance and reinsurance advice, usually with an international context.

William regularly advises on insurance law issues arising out of insolvency situations. William has also acted as an expert witness in overseas proceedings involving issues of English insurance law.

William has been recommended in the field of insurance, reinsurance and professional negligence by Legal 500 and ranked as a Leading Lawyer in the field of reinsurance by Chambers Guide to the UK Legal Profession. William is also a member of the Chartered Insurance Institute and is qualified in Australia (NSW).

William speaks Spanish and French.

Career Overview

William has been active in insurance and reinsurance law for 30 years, having qualified in 1984 at Ince & Co. He subsequently qualified and worked in Australia for three years. On returning to London, William became a Partner at Waltons & Morse where he remained for 10 years. He moved to Lawrence Graham's insurance and reinsurance group before joining Carter Perry Bailey in 2009.

Contentious Practice

On the contentious side, William advises on reinsurance coverage disputes, both in the live and legacy areas. He has handled many disputes in the Commercial Court, in arbitrations and internationally, which have often involved conflicts of laws issues. He has particular experience of:-

- Advising on financial lines insurances of all kinds, including Bankers' Blanket Bonds, financial institution professional negligence, computer crime and cyber risks;
- Acting for D&O insurers, both in defending claims and advising on coverage;
- Insurance disputes relating to property damage and business interruption, and political violence and terrorism property damage insurance;
- Liability insurances and reinsurances, including those covering long-tail losses arising from asbestos, pollution and health hazard liabilities;
- Accident & health covers;

- Jewellery insurances;
- Marine and energy reinsurance disputes, and
- Disputes over sanctions compliance.

William also regularly assists insurance and reinsurance brokers and their clients with collecting “difficult” claims and on disputes over brokers’ accounts and commissions.

Non-contentious practice

A substantial part of William’s practice consists of advising on non-contentious matters, in particular:-

- The establishment of non-EU insurance companies in the UK;
- The passporting of EU insurers and intermediaries to provide services in the UK;
- Structures for insurers not authorised in the EU to provide insurance to UK consumers;
- The run-off of UK branches of foreign insurance companies;
- The many forms of agreement between market participants and intermediaries, from coverholder agreements to commutations, and
- Policy drafting and advising on D&O structures for international groups.

Memberships

International association for insurance law (Association Internationale de Droit des Assurances) (“AIDA”)

British Insurance Law Association (“BILA”)

Association of Insurance & Reinsurance Service Providers (“AirSP”)

Reported Cases

The Mozart [1985] 1 Lloyd’s Rep 239 - Liability of a charterer for delays caused by the port’s defective loading equipment.

The Mineral Transporter (Ibaraki Maru) [1986] AC 1 - Scope of negligence under law of New Zealand.

Punjab National Bank v de Boinville [1992] 1 Lloyd’s Rep 7 - Whether an individual employee of an insurance broker can assume a personal duty of care to the client.

Barber v Imperio Reinsurance (UK) Limited 15 July 1993 CA - Whether a reinsurer had lost its ability to avoid in consequence of affirmation.

Napier v Hunter [1993] AC 713 - Subrogation and allocation of recoveries between insured, primary and upper layer underwriters.

County NatWest v Pinsents [1994] 3 Bank L.R. 4 - Solicitors' negligence in drafting a receivables financing agreement.

Excess Ins Co v Allendale Mutual Ins Co [2001] 1 Lloyd's Rep IR 524 - Whether the service of suit clause is a submission to jurisdiction

Hamishmar v First City [2010] Lloyd's Rep IR 215 - Extent of a reinsurance broker's duty to provide information and account, during the claims collection process.

Sharon's Bakery v AXA UK [2012] Lloyd's Rep IR 164 - Alleged non-disclosure of events in the insured's prior dealings with its lender. Whether the insured used fraudulent means and devices in claiming under its fire insurance.

Directory Recognition

Chambers Guide

- "William Sturge is known for his track record in reinsurance matters"
- "The level-headed William Sturge 'is the ideal choice for reinsurance dilemmas'."

Legal 500

- "brilliant"
- "...expertise includes war risks, bankers' blanket bond, terrorism insurance and challenging cross-border claims"
- "...provides a powerful intellectual assessment"
- "...stands out for his 'ability to devise and implement strategies'"