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Denning Insurance Law

“One claim, one dedicated lawyer”

Issue 1, 22 December 2016

Welcome to the first annual newsletter for Denning Insurance Law.

Thank you to my clients, colleagues and referrers for your continued support.

I'm pleased to say that it's been another fantastic year for the practice and for many of my clients. Over the past 12 months, I've had the privilege of acting in several complex liability and coverage disputes. I look forward to more of that challenging work in 2017.

To grow the business and to do more of the work that I enjoy, I have expanded my services to include plaintiff personal injury work. In a highly competitive market, I believe that there is still a demand for a personalised approach, high level expertise and fees that are fair.

As the business grows, I've embraced the opportunity for the firm to advocate for change in the legal profession that many are keen to see. With this in mind, Denning Insurance Law has committed to some important initiatives to improve our profession for the benefit of the community which we serve.

Kate Denning, Principal

Top 5 Blog Posts

Many of you will have read our LinkedIn or blog posts throughout the year. If you have not yet done so, we

encourage you to [subscribe to the Denning Insurance Law blog, InDefence](#). In case you missed them, here's a selection of our top articles from 2016:-

1. [What happens if you don't have workers' compensation insurance?](#)
2. [Workers' compensation changes to affect contractual indemnities](#)
3. [How to detect fraud in personal injury claims](#)
4. [Section 54 of the Insurance Contracts Act – what's not an act?](#)
5. [Dangerous Recreational Activities: Contract claims and intentional torts](#)

Papers

In 2016, Principal Kate Denning presented several seminars and at conferences for Legalwise Seminars, the Young National Insurance Brokers Association, Engineers Australia Structural College and the College of Law Australia. A selection of the papers that were delivered are available for download in the relevant practice areas on [our website](#).

Q&A

Earlier in the year we presented on the topic, "Contractual Indemnities: Tips, Traps and Case Studies" in Brisbane and in Toowoomba for Young

NIBA. One of the questions asked by an insurance broker was:

Q: Is there anything to limit the amount of costs that may be recoverable under a contractual indemnity.

A: In addition to wording of an indemnity, the contract terms and any defined terms, consideration should be given to the sections of the Legal Profession Act (LPA) dealing with non-associated third party payers. An indemnifier is a '*non-associated third party payer*' for the purposes of the LPA and the costs that are claimed should be '*reasonable*'. Parties cannot contract out of a non-associated third party payer's rights under the LPA. A non-associated third party payer has the right to apply for the costs to be assessed and the relevant costs assessor has to consider a number of matters in deciding whether the costs claimed are appropriate.

Plaintiff personal injury work

Denning Insurance Law has extended its services to Claimants with personal injury claims. We are thrilled to provide this service, as we develop a well-rounded injury and insurance litigation practice. Our clients now include insurers, ASX listed companies, major private companies, SMEs, professionals and Claimants.



LCA Equitable Briefing Policy

In October 2016, Denning Insurance Law adopted the [Law Council of Australia's Equitable Briefing Policy](#). As one of the first Queensland firms to adopt the Policy, we have committed to undertake all reasonable efforts to brief women barristers with relevant seniority and experience within our practice

areas. One of the objectives of the Policy is that it will enhance the profession's credibility by making it more representative of the composition of the community which it serves.

QPILCH Pro bono scheme

Denning Insurance Law is pleased to announce that it is now a participant in the [Queensland Public Interest Law Clearing House Pro Bono Referral Service](#).

This service provides access to justice for people with civil law matters, who would not otherwise obtain legal assistance. QPILCH sends referrals to participant firms where an individual or not-for-profit community group has a matter with reasonable prospects of success and is ineligible for legal aid.

Upcoming events

Principal Kate Denning will be delivering the following seminars and presentations in 2017:

- 28 March 2017: Contributory Negligence: Recent Changes, What's Still Relevant and Where to Now – Melbourne
- 30 March 2017: Contributory Negligence: Recent Changes, What's Still Relevant and Where to Now – Sydney
- July 2017 – Torts Case Review FY2017

To register your interest to attend our Torts Case Review seminar, please [email us](#).

Seasons Greetings

Denning Insurance Law will close over the Christmas period from 24 December to 3 January 2017. We wish you and your families a safe and happy Christmas. For enquiries regarding our services, please email info@dennings.com.au or visit www.dennings.com.au.