



THE CHARTERED INSTITUTE
OF LOSS ADJUSTERS

THE WAY AHEAD

CILA Claims Professionals' Conference 2025



THE CHARTERED INSTITUTE
OF LOSS ADJUSTERS

Adjusting to Change: The Value of the Loss Adjuster

Ben Bolton, Gracechurch



Gracechurch.

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Gracechurch



EMPOWERED EXPERTISE

Our specialists make us why we are

What else can a specialist team do for you? At Chubb Claims, it's more than the standard claims, insurance and policy underwriting you expect to see from a claims provider. Our team's knowledge of commercial operations, together with our ability to provide specialist services, means we can offer you a more complete service. We make a point of staying fully up-to-date about what you do and are always looking to find new and better ways to help you manage your risks and protect your business.

Chubb Claims

Report a claim

Our claims process

Our claims services

Awards and accreditation



ecclesiastical Proudly part of the BENEFICT GROUP

convex

"Convex is currently setting the standard when it comes to claims services in the London Market."

Gracechurch Claims Monitor, 2023

Chubb Inmored!

AWARDED TWO GRACECHURCH SERVICE QUALITY MARQUES FOR OUTSTANDING CLAIMS SERVICE.

CELEBRATING 25 AEGIS LONDON

Follow us on LinkedIn.

You can follow us on LinkedIn by clicking [here](#)

MS amlin A claims service you can TRUST

Transparency, Responsiveness, Understanding, Solution-driven, Technical Expertise

Please click here to view our claims team contacts and availability this week.

We are proud to be part of M&A Sunamo Insurance

Celebrating 100 years in the UK

A Member of the AEGIS GROUP

beazley

Outstar Outstanding 2024

Gracechurch announces Claims Quality Marque achievers

Gracechurch awards Service Quality Marque to 10 London insurers

Top 10 London market insurers for 'outstanding' claims service revealed

Gracechurch recognises 12 insurers for outstanding claims service

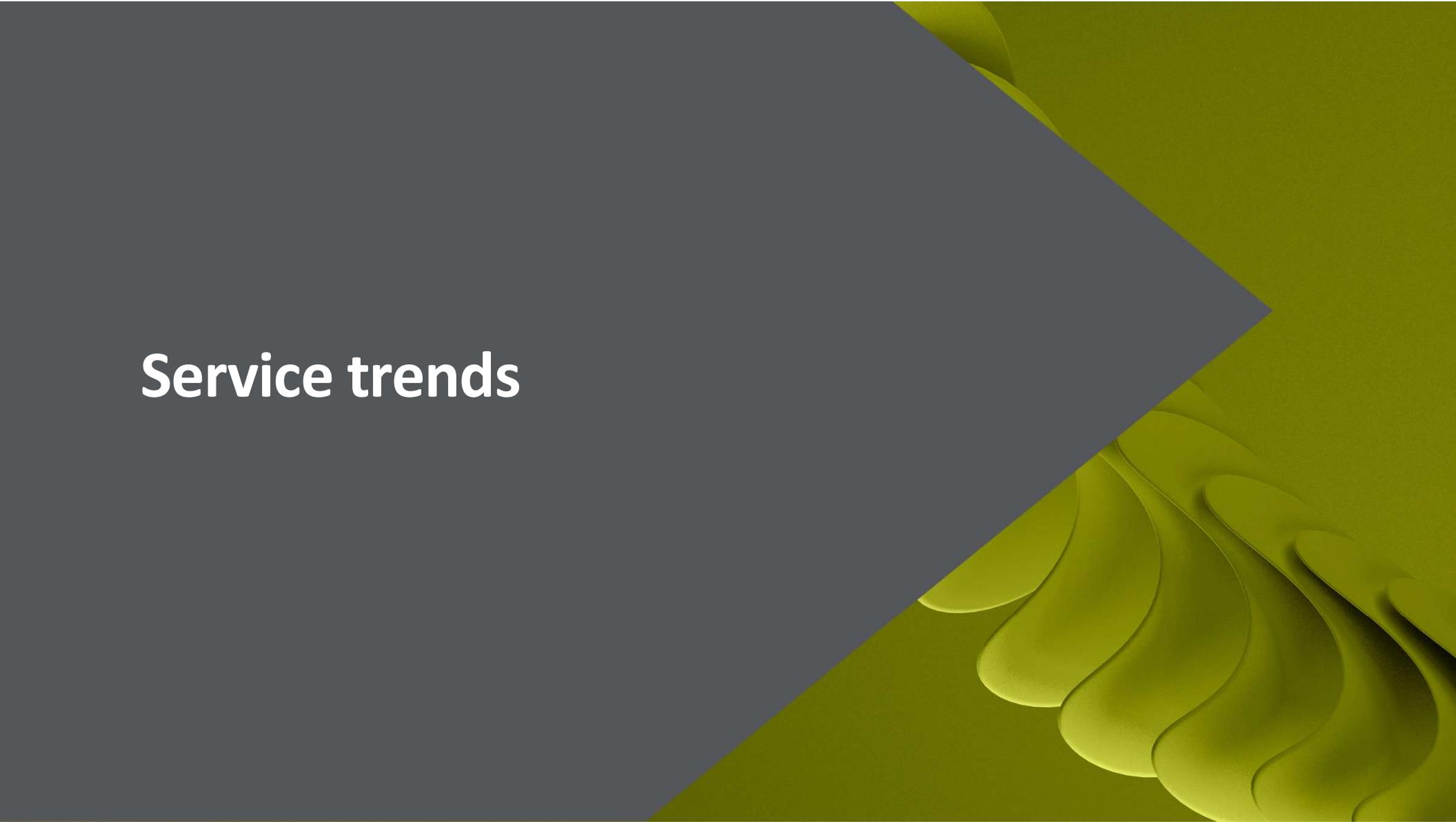
Gracechurch awards regional claims Service Quality Marque to insurer trio

Gracechurch rates London claims service at ten-year high

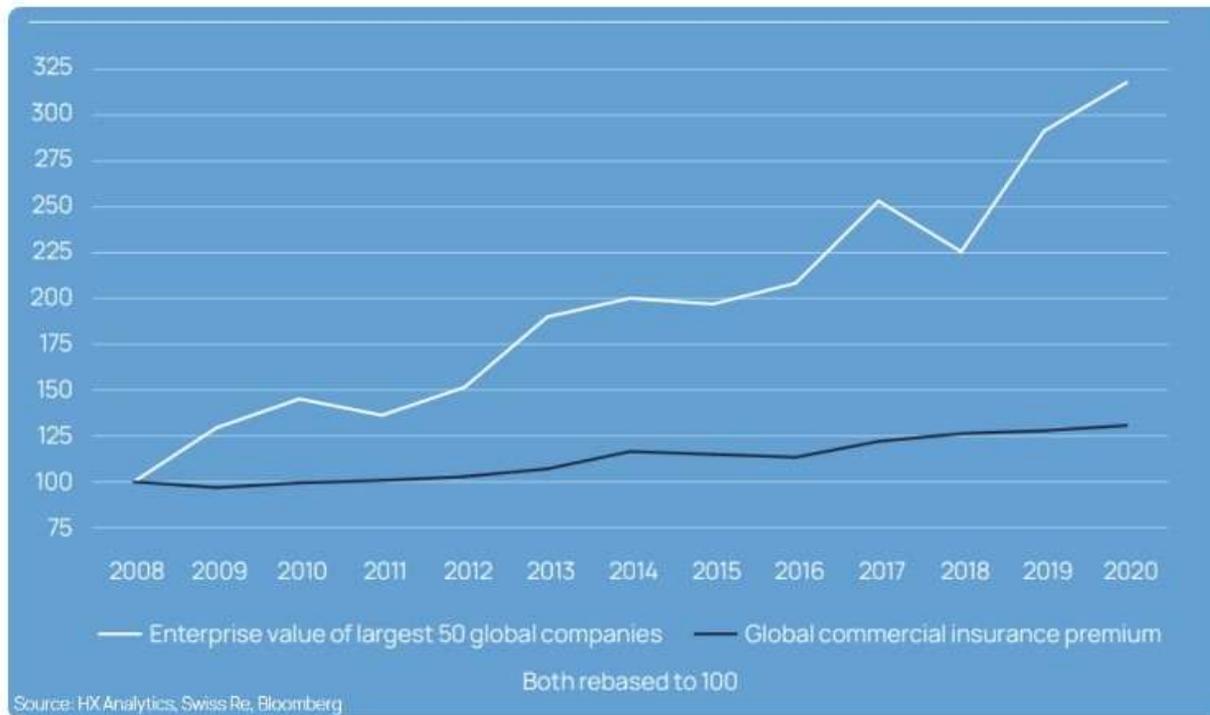
But gap between top and bottom performers grows

Ben Horne - January 31, 2024

Service trends

The image features a dark grey triangle pointing to the right, which overlaps a green background. The green background has a wavy, layered pattern that resembles a topographical map or a series of overlapping sheets of paper. The text "Service trends" is written in white, bold, sans-serif font on the dark grey triangle.

Insurance is *growth challenged*



Industry moves to customer focus

Competition

- Growth challenge for insurers
- The need for superiority to win
- Choosing customer service/advisory (includes innovation)



Service focus

- Best performing teams focus around 'EQ'
- Some limited technology (portals)



Teams see change coming (broking and insurance)

- Claims as selling point
- Technology
- Reskilling essential

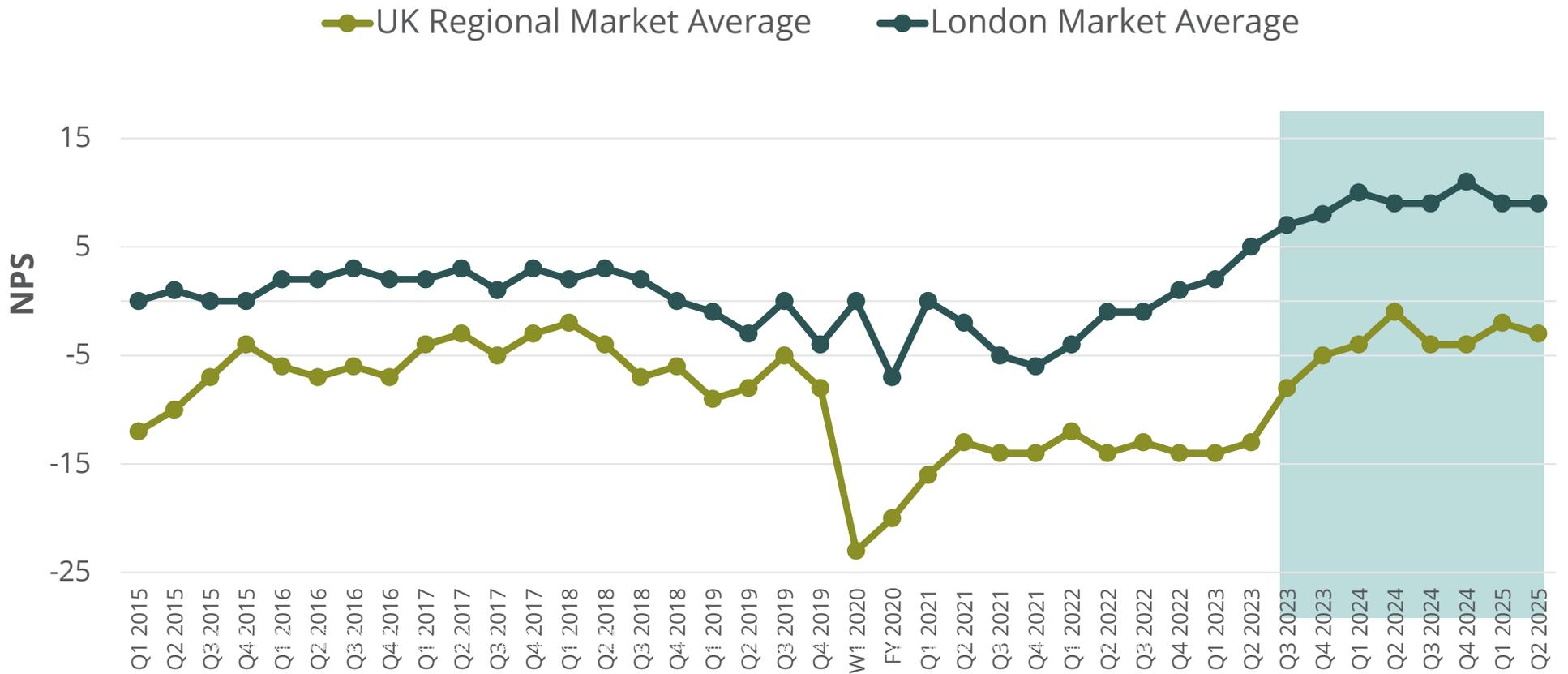




TOKIO MARINE

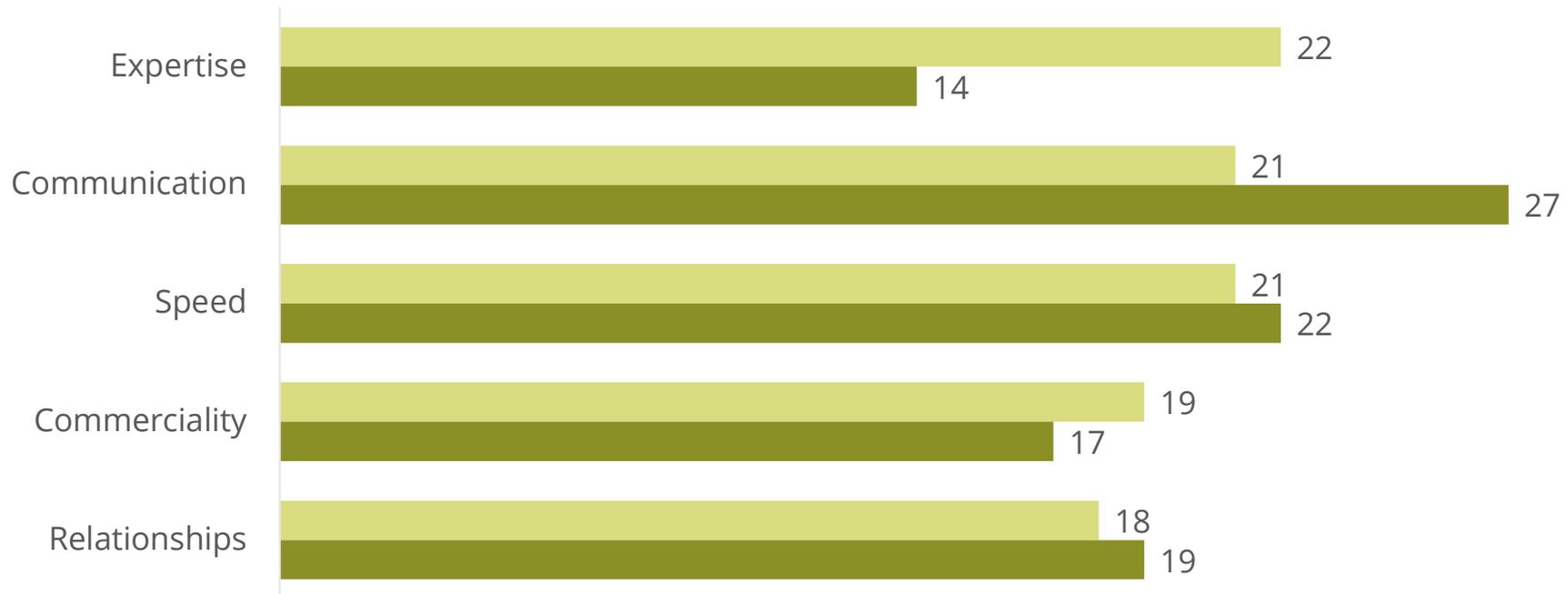
KILN

Claims NPS trend: UK Regional vs London Market



Gracechurch: Key drivers of Claims service (NPS)

2024 2023



Driver scores indexed to 100.





*"In claims management, **technical skills will only get you so far**. It's the ability to **understand and respond to the emotional and psychological state** of the client that differentiates a good claims handler from a great one...**Empathy** allows us to connect with clients on a **human level**, showing that **we care about their situation**.*

Alex Reynolds, Chief Claims Officer UK & I, Marsh





Organizations should consider claim service, culture and performance record when selecting their insurer. The speed and ease of resolving significant balance sheet threatening events and complex claims scenarios should be valued more than what might be a comparative modest premium discount. An engaged and collaborative claim response will be remembered long after modest savings are forgotten.

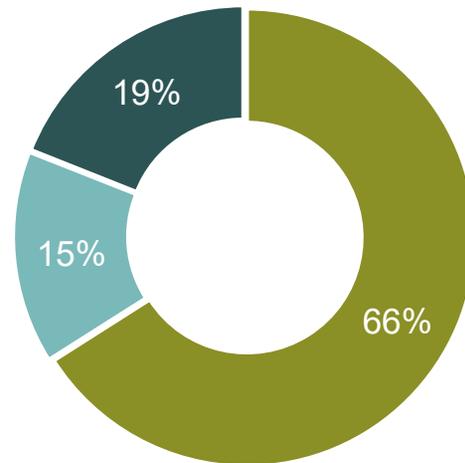
Martin Thomas

Global Head of Aon's Complex Claims



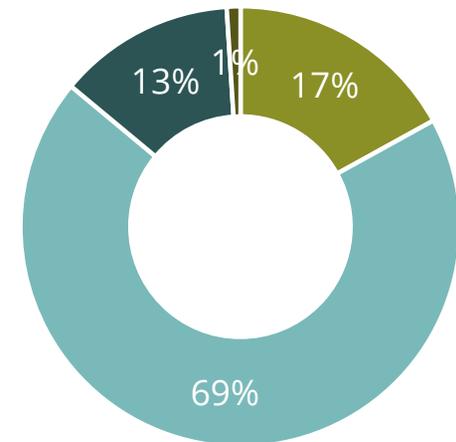
Few claims people feel 'fully prepared' to meet client needs

Is claims service becoming more or less important as a selling point for insurance?



■ More important ■ Less important
■ Staying same

How prepared is your function to meet the needs of your clients in next 2-3 years?



■ Completely prepared ■ Somewhat prepared
■ Not very prepared ■ Not at all prepared





Gracechurch.

Pre Conference Survey: Key findings



**#1 your
challenges**



Challenges: expectation management and workload



"...the Amazon Prime demand - everything needs to happen quickly."

"Time pressure/Lack of thinking time due to parties wanting instant responses from telephone, email, text etc."

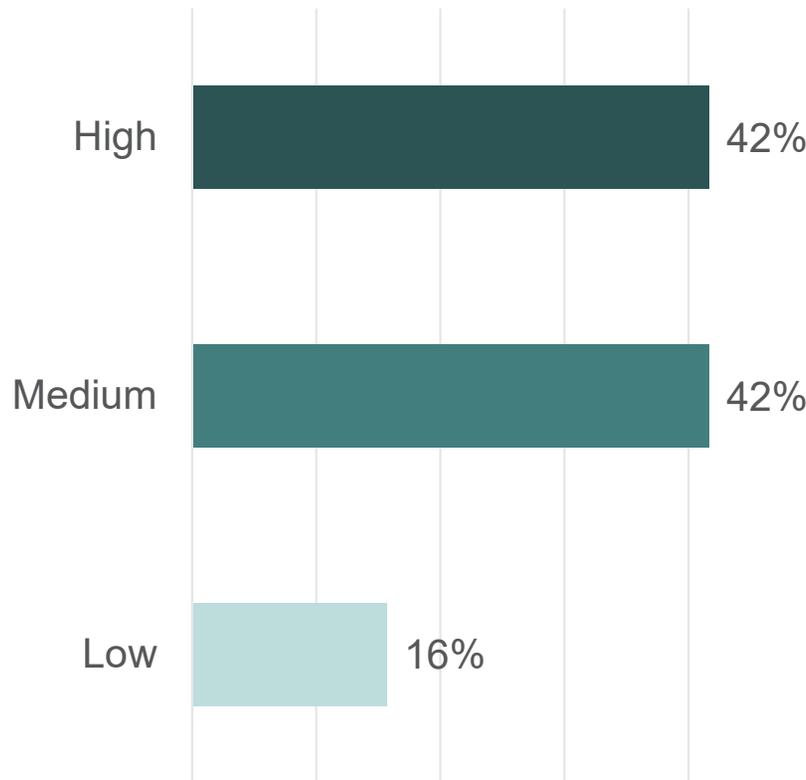
"Dealing with a heavy workload. Insufficient time to allocate to each claim."

"Tools to deliver responses to those expectations not quick enough."



Q: Of the following what would be the top three challenges in doing your job well these days?
Q: What are the main challenges in doing your job well these days? [OPEN RESPONSE]

Most forecast AI will have impact



“Streamline costs, faster turnaround time, better customer experience.”

“It has made it possible to work far more efficiently, getting correct outcomes in a fraction of the time.”

“Use of AI to generate documents, to read policies to find exclusions, meeting minutes.”

“AI has not impacted my role, and I do not believe that AI should have any part in the claims process.”

“It lacks the required empathy and human understanding to manage catastrophes and cannot replace the expertise of an Adjuster.”



Q: In your opinion what impact will AI have on the future of the loss adjusting profession?

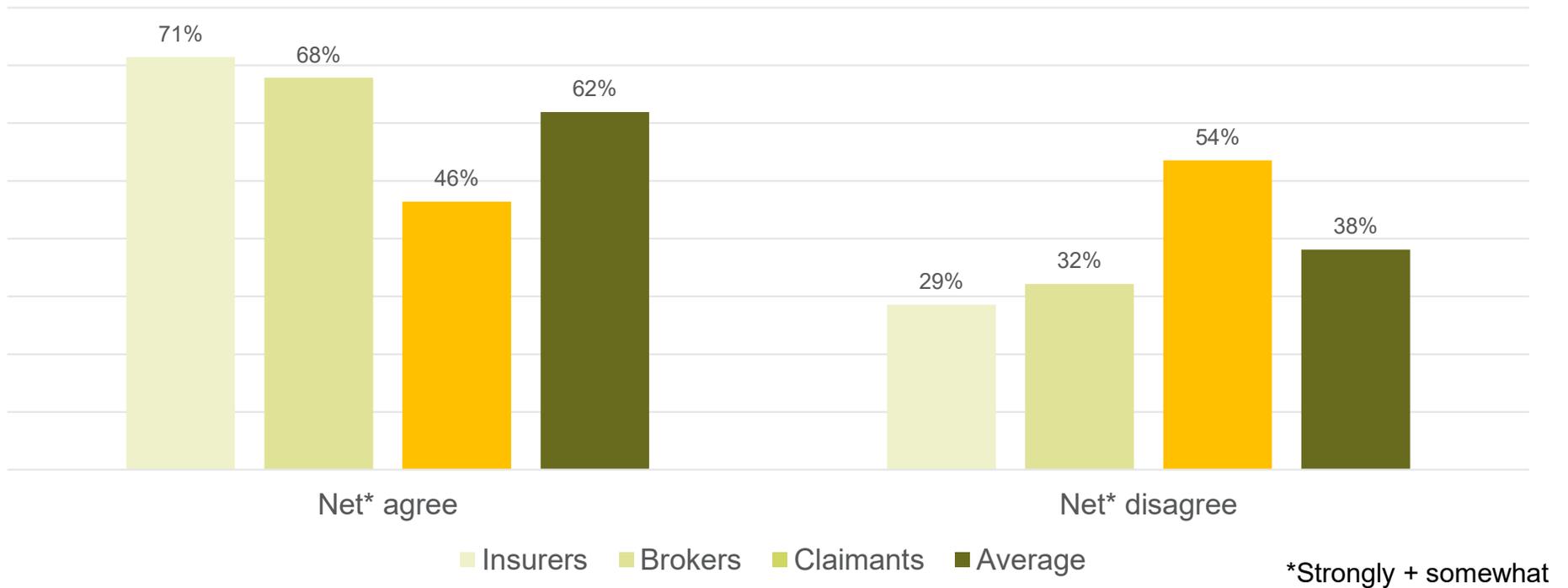
Q: How has AI impacted your role to date? [OPEN RESPONSE] Q: What opportunities does AI offer the loss adjusting profession? [OPEN RESPONSE]



**#2 how valued
are you?**



You think that claimants value you least



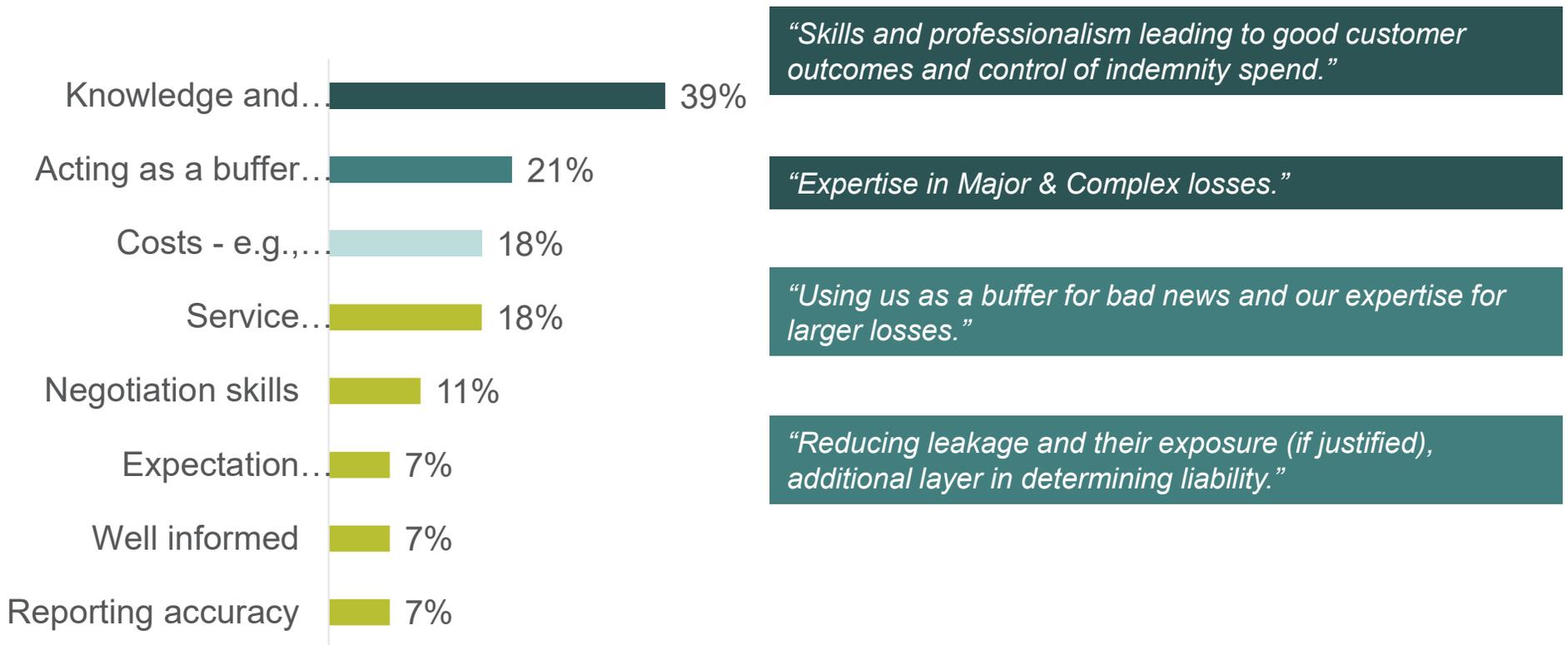
Q. To what extent would you agree/disagree with the following statements: Claimants/Insurers/Brokers fully value loss adjusters' expertise in helping to create a fair claims outcome



#3 what is valued?

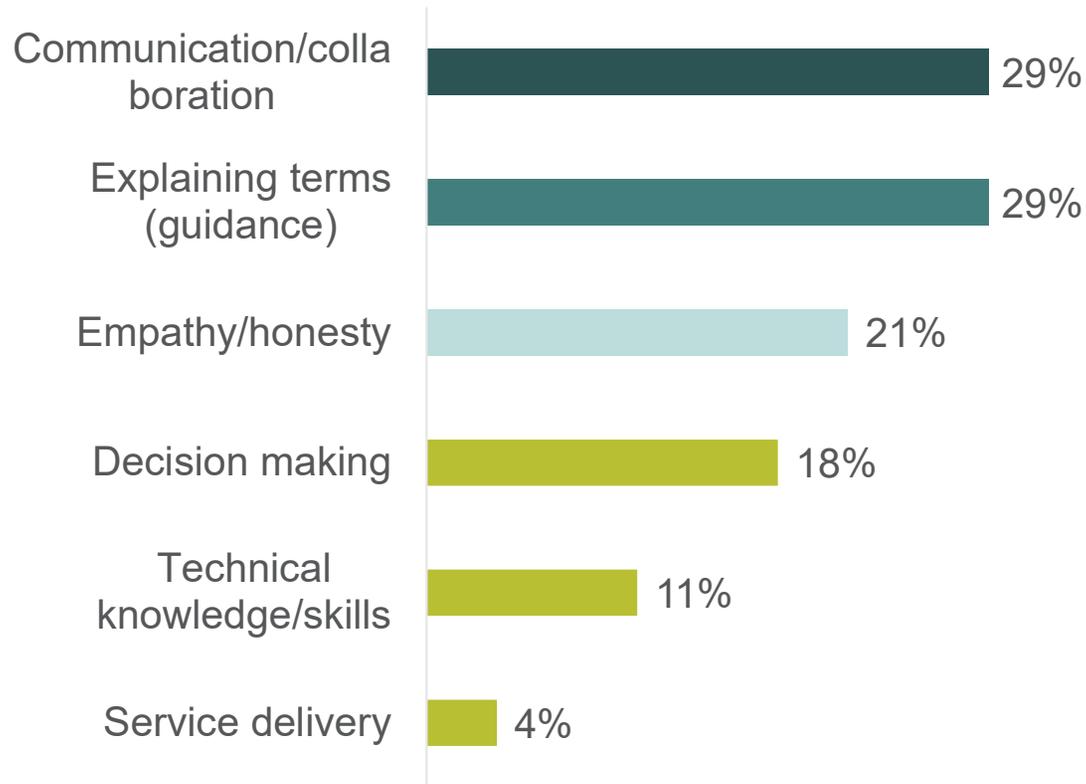


Insurers value knowledge/expertise, exposure limitation, cost controls



Q: And what aspect(s) of the Loss Adjusting role is valued the most to insurers? [OPEN RESPONSE]

Claimants value soft skills (communication, guidance, empathy)

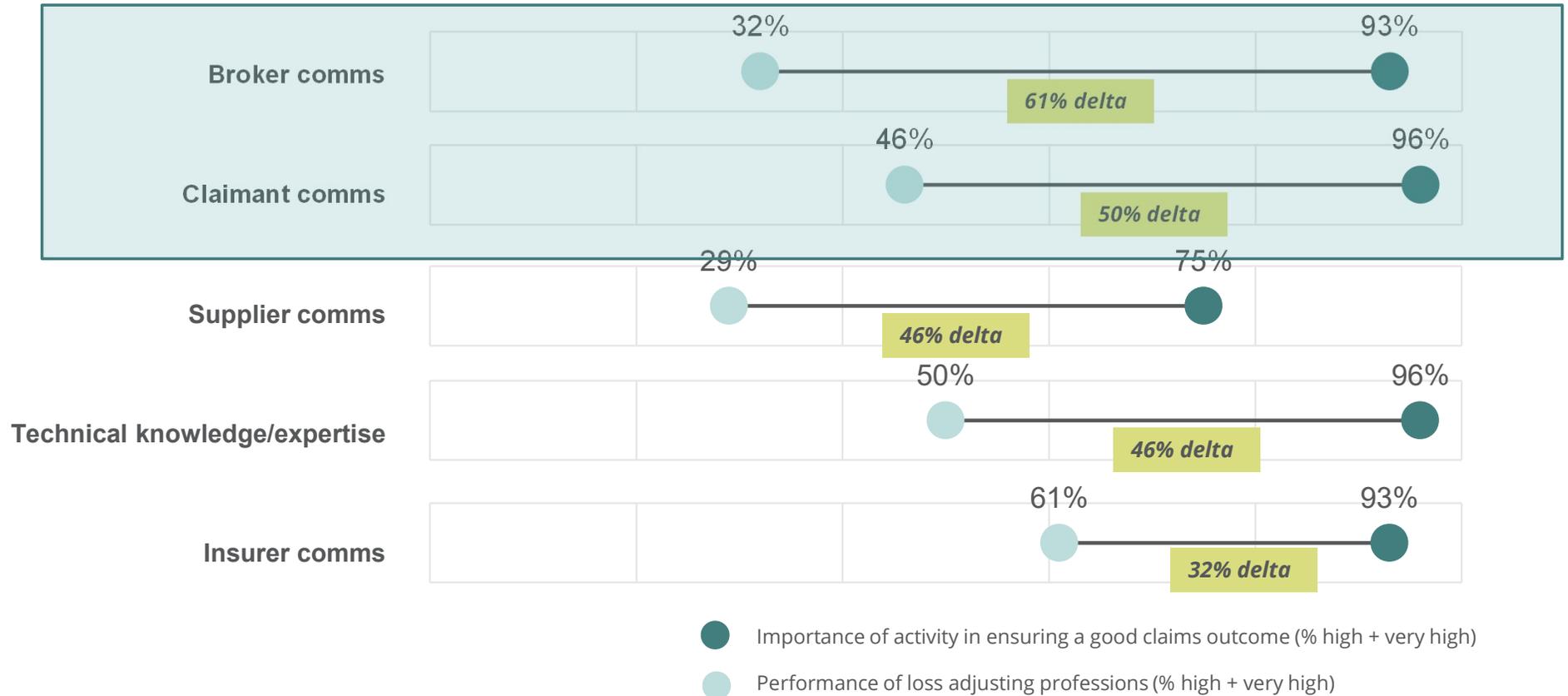


“Claimants generally appreciate (even if they don’t accept) the early flagging of potential issues which may be problematic with the claim.”

“Face to the claim - human touch.”

“Empathy, reassurance, professionalism and taking away the stress and worry.”

Biggest deltas on broker and claimant *communication*



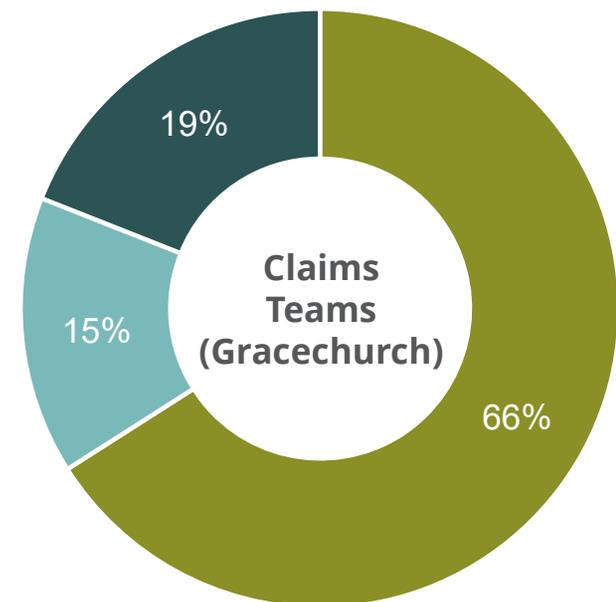
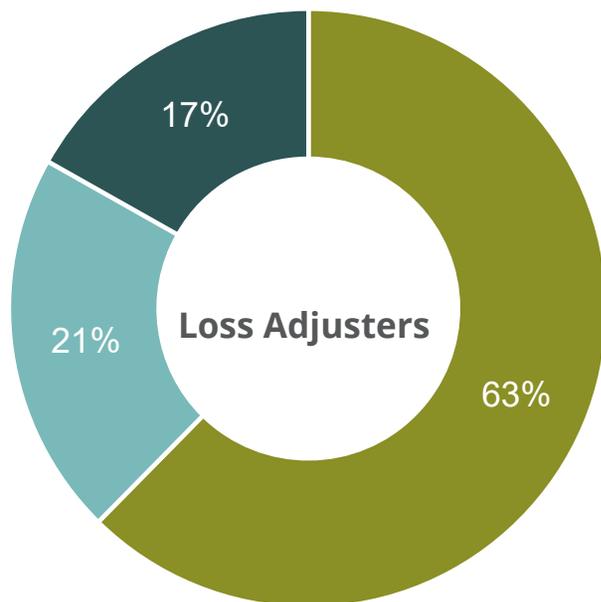
Q. Please rate each of these activities in terms of how important you think they are in ensuring good claims outcomes? (Very high, High, Medium, Low)
 Q. How would you rate the loss adjusting profession generally on how it performs on each of those measures (Very high, High, Medium, Low)



**#4 future
development?**



Claims service is becoming a more important selling point



- Becoming more important
- Becoming less important
- Staying the same



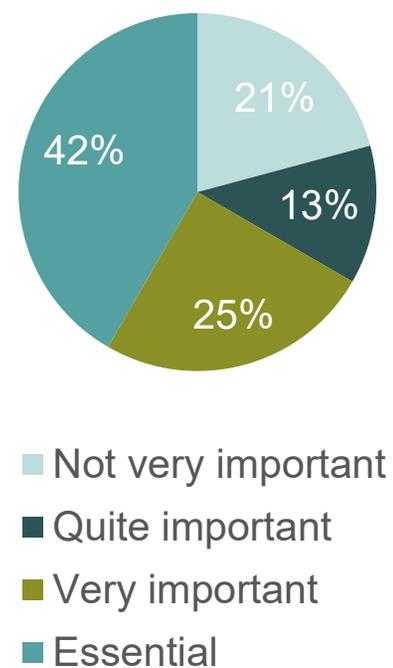
Q. Do you think claims service is becoming more or less important as a selling point for insurance?

New skills development essential

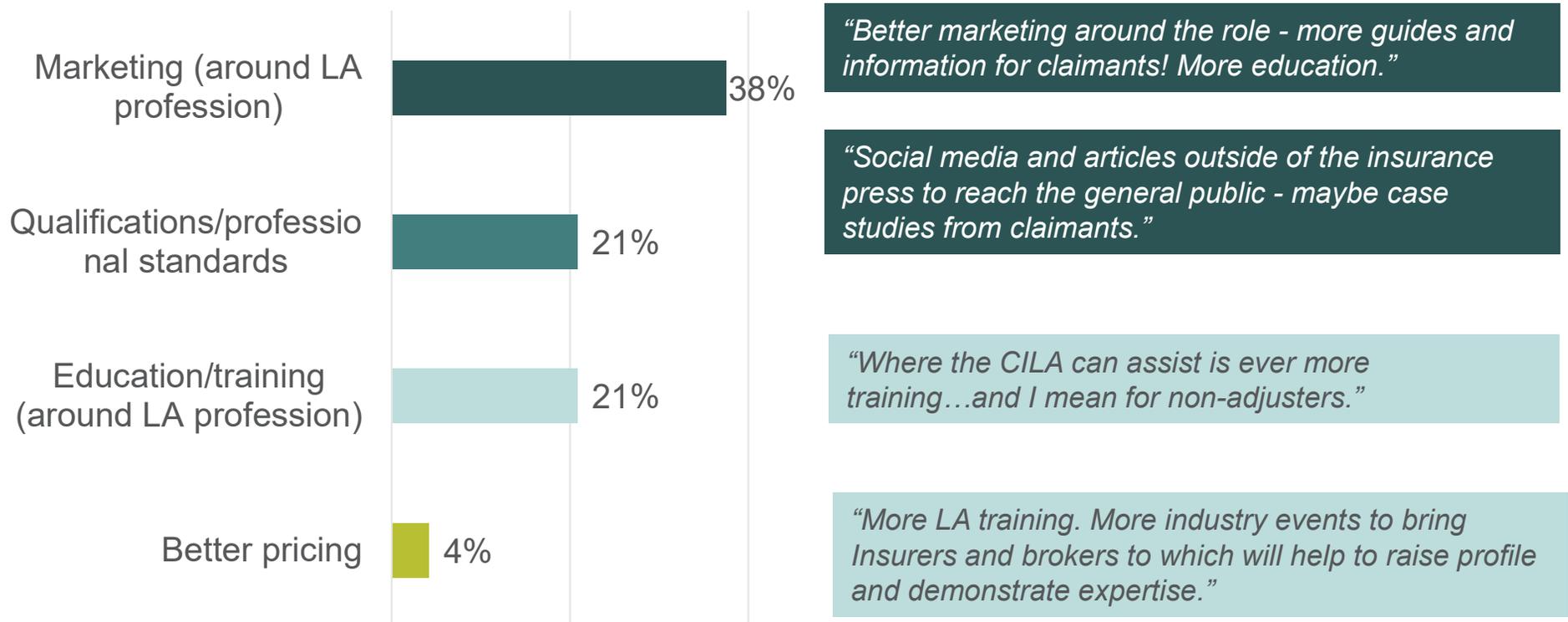
Most important skills/knowledge required by loss adjusters



Importance of personally developing/adopting new skills in next 2-3 years



Loss Adjusters want CILA support on marketing and education



The image features a large teal circle on the left side, partially overlapping a smaller, darker teal circle in the center. The background is a light blue gradient. The text "#4 final thoughts" is written in white, bold, sans-serif font across the center-right of the image.

#4 final thoughts





You are facing similar transition and challenges as the industry

- Balance is currently “inside out” rather than “outside in”; this underplays your value



You recognize this needs to change, that new skills needed pronto

- And you would like support from CILA and your companies.



Thank you...
and good luck



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Driving Better Claims Outcomes

Andy Howell and James Langford, Financial Ombudsman Service



**Financial
Ombudsman
Service**

Insights
and
trends

**What's going well, and
where are the opportunities to
improve?**

Enhancing process, communications
and decision-making

**Better
outcomes**



Better outcomes

“An **expectation** is what people *think* will happen”

“An **outcome** is what *did* happen”

**Expectations
versus reality**

Regulatory expectations

PRIN 2.1.1

Firms must...

- pay due regard to the interests of its consumers and **treat them fairly**
- pay due regard to the information needs of clients, communicating information in a way which is **clear, fair and not misleading**.
- Act to deliver **good outcomes** for retail customers

Consumer Duty

Firms must act in **good faith** towards customers. This a standard of conduct characterised by honesty, fair and open dealing - and consistency with the **reasonable expectations** of consumers

ICOBS 8.1.1

- Handle claims **promptly** and fairly
- Provide reasonable **guidance** to help a policy holder make a claim and appropriate information on its **progress**
- Settle claims **promptly** once terms agreed

Creating expectations



‘Giving you **peace of mind**’

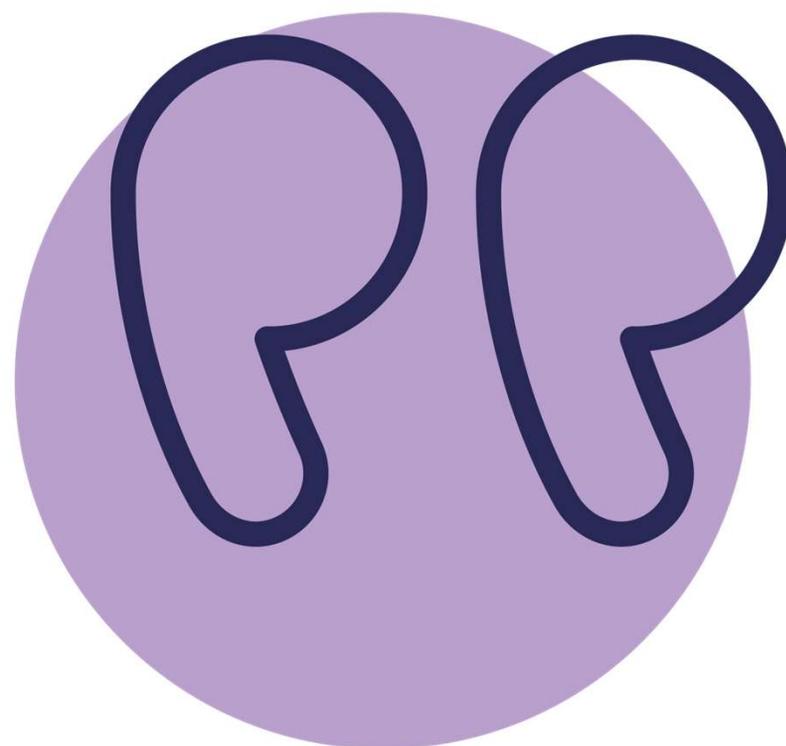
‘We’ve got your back’

‘**Your partner** in protection’

Why we're all here

*“But something you deal with daily could be a **once-in-a-lifetime event** for your customer, so it’s very important to be connected to the **human element** and put yourself in their situation...”*

‘What if it happened to me, or someone I care about?’



Second responders, but...

Adverts, marketing materials and policy documents
write the cheques of **human expectations...**

loss adjusters are the first on scene for the industry
trying to help cash them – **delivering outcomes**

A case study, the human element

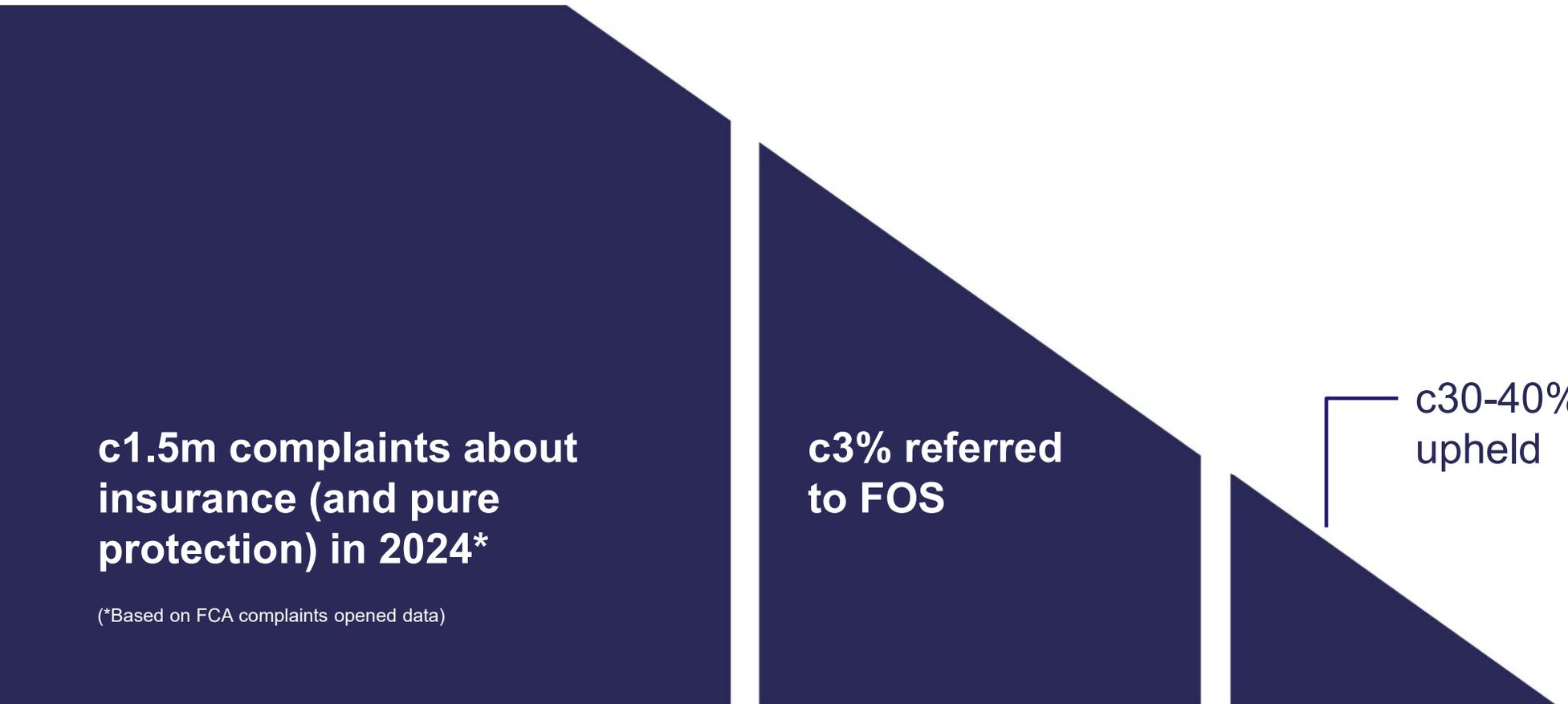
Desperate
Frightened
Helpless

Alone
Angry
Hope



What we're seeing

High-level picture



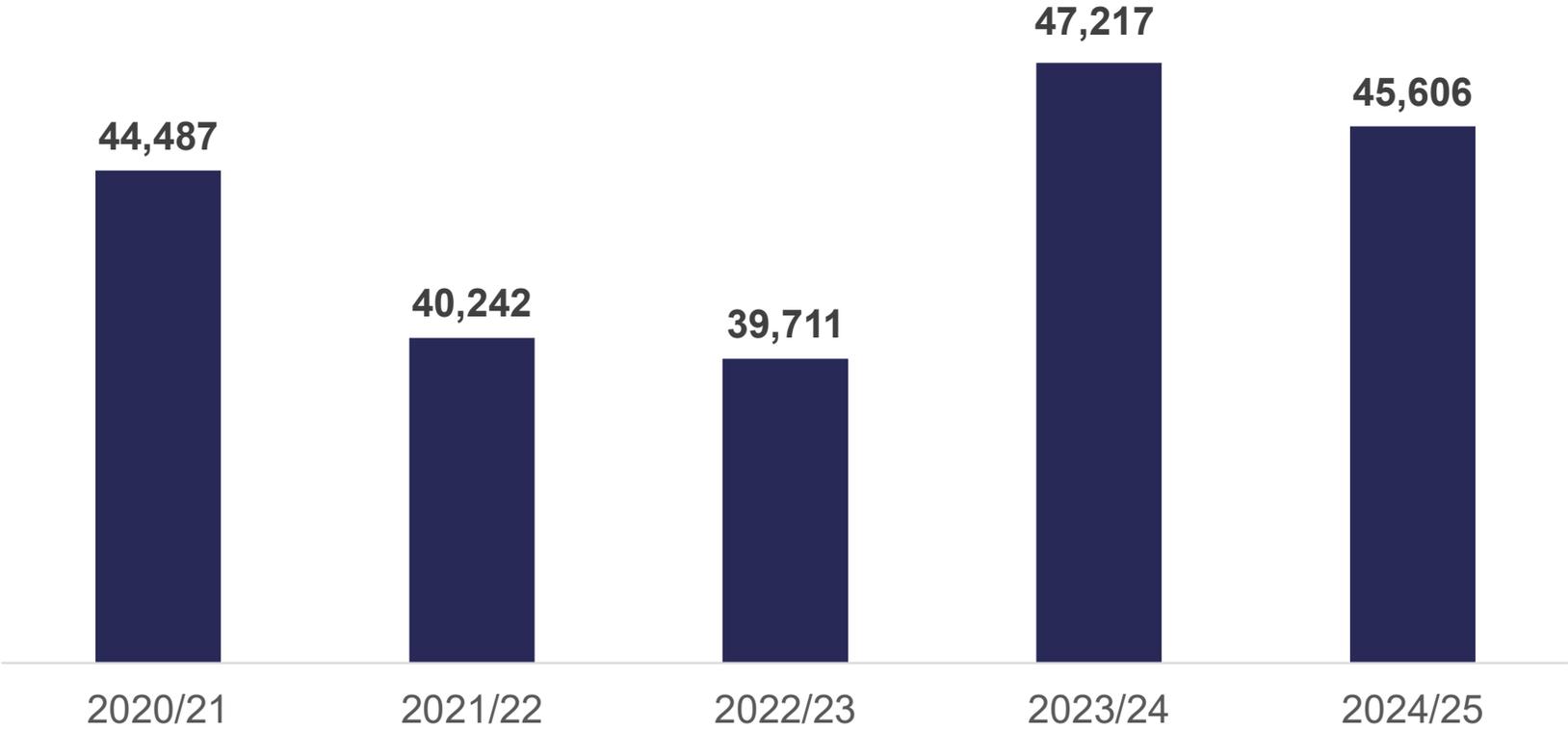
c1.5m complaints about insurance (and pure protection) in 2024*

(*Based on FCA complaints opened data)

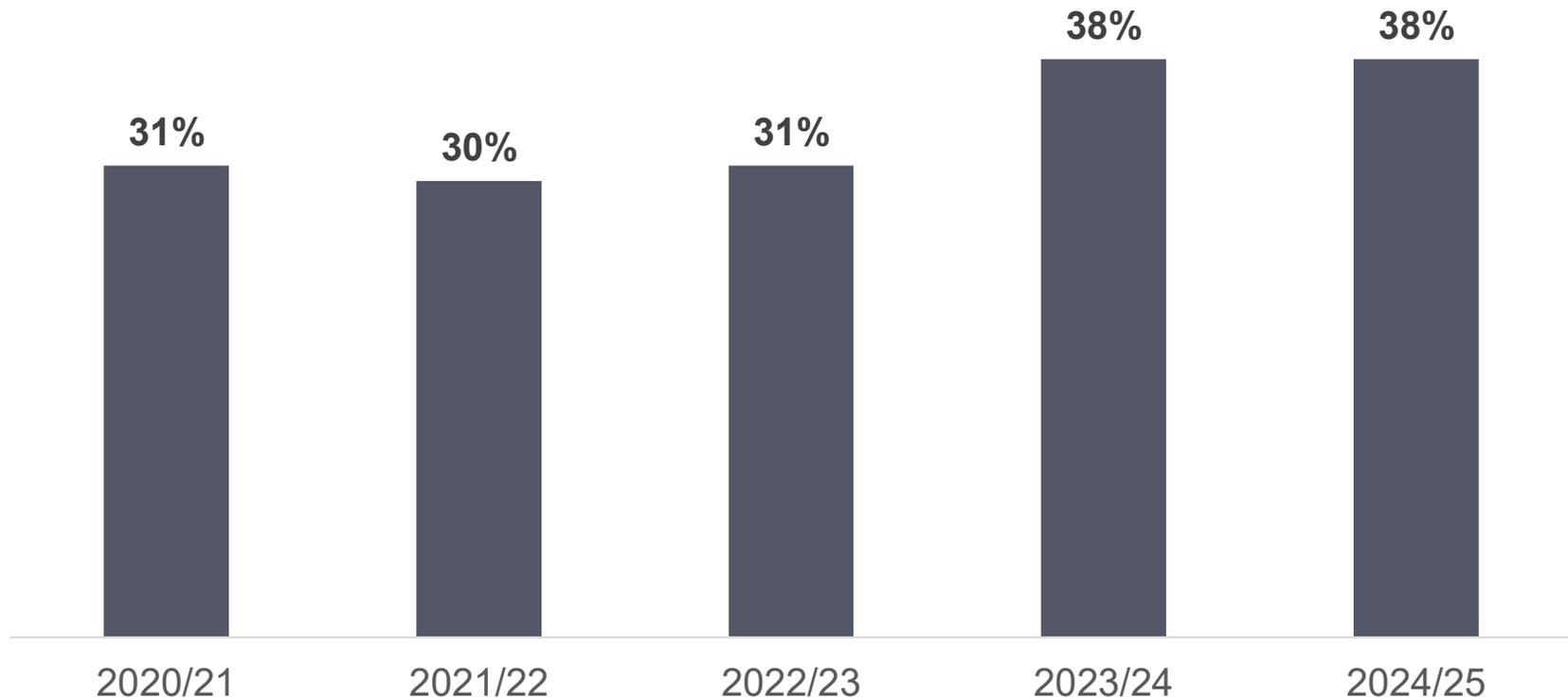
c3% referred to FOS

c30-40% upheld

Complaints - last five years



Complaints upheld – last five years



Deep dive – top five complaint issues

Claim
declined

c13.7k

30%

Admin/
service

c6.5k

14%

Claim
delay

c6.4k

14%

Claim
value

c5k

11%

Claim
repairs

c3k

6%



Bringing this to life

Case study



‘K’ Ltd

**Ongoing
Subsidence**

Case study



Mrs P

**Escape of
water**

Delivering better outcomes is
everyone's responsibility

Remembering the human element
customer expectations

It's the **human element** that makes
the difference

Better outcomes
across the industry,
and across the
whole journey



Thank you!



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RISCAuthority and The Large Loss, Fire & Flood Database

Robin Ehrlich, Questgates
Don Oakley, Fire Protection Association





RISC Authority

**THE LARGE LOSS,
FIRE & FLOOD
DATABASE**

Don Oakley

16th September 2025

ABOUT



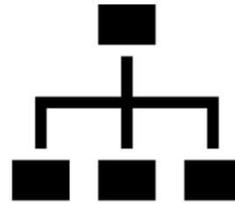
RISCAuthority is a research scheme administered by the Fire Protection Association and supported by many UK insurers. Through the operation of its technical working groups, the scheme seeks to support measures that improve and promote property and business resilience measures.



RISCAUTHORITY CORE AREAS

Working Groups
Library
Toolkits
Projects

STRUCTURE AND GOVERNANCE



Find out about the structure and governance of the RISCAuthority research scheme.

RISCAUTHORITY MEMBERS



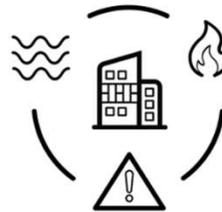
RISCAuthority is an annually funded research scheme administered by the Fire Protection...

RISCAUTHORITY OUTPUTS



RISCAuthority is an annually funded research scheme administered by the FPA and supported...

RISCAUTHORITY PROJECTS



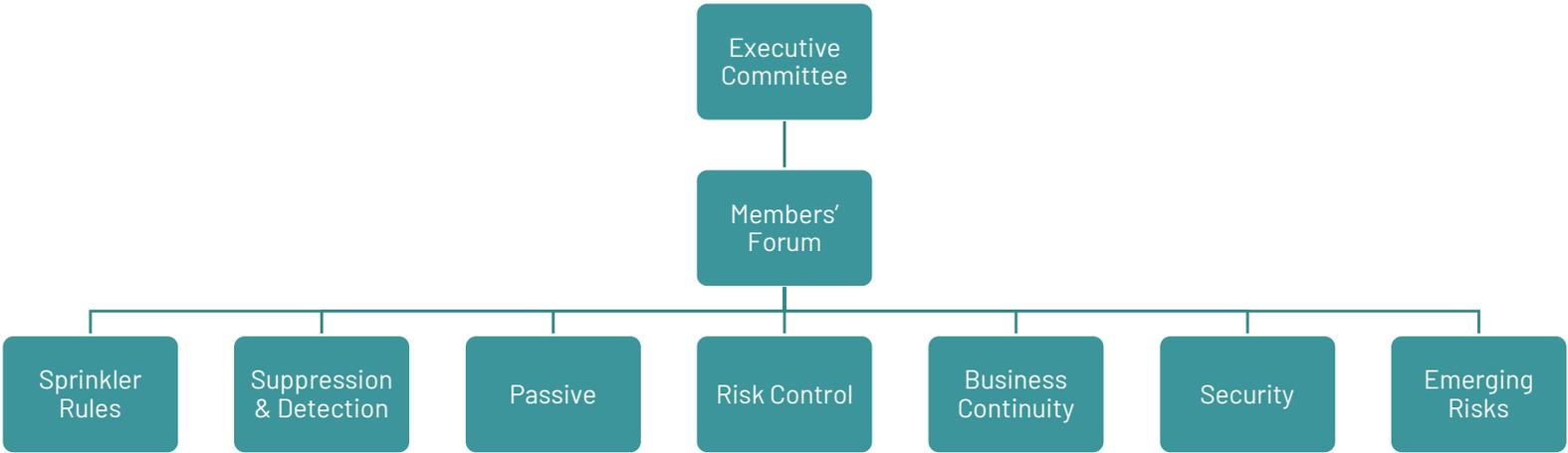
The FPA and RISCAuthority has conducted a variety of milestone projects that have shaped...

MEMBERS' AREA



Visit the Members' Area.





SPRINKLER RULES WORKING GROUP

Next meeting: 1st October 2025

Managing the LPC Rules which are the insurer standards for sprinkler protection of buildings

Collaboration with industry partners and input into British & European standards

Suite of Technical Bulletins in continual update available for insurer members

Provide expert opinion and research testing specifically relating to sprinklers



RISK CONTROL WORKING GROUP

Last meeting held: 4th September 2025

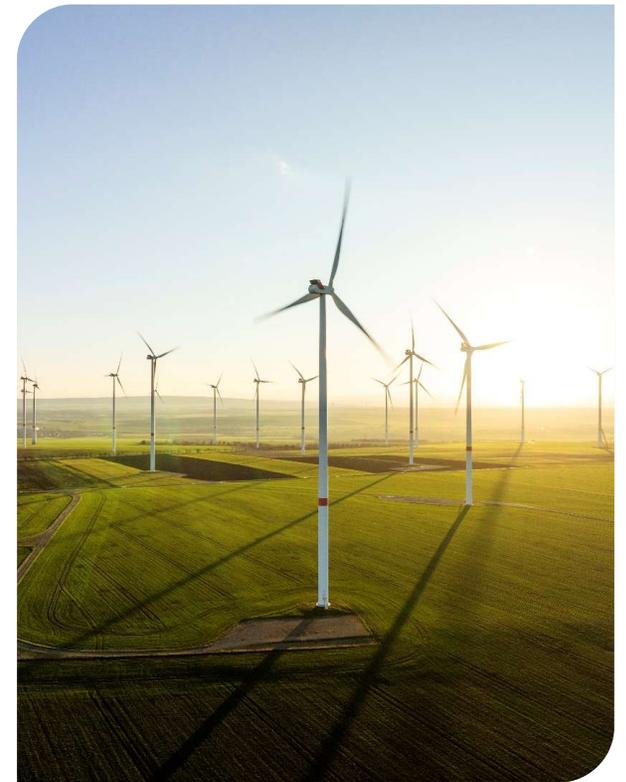
Recent guidance:-

- Wind Turbines published with Fire & Risk Management Journal article and Webinar
- Transformers/Switchgear
- 30 Risk Control Guides identified for Library Archive – available to members

Current projects/focus groups:-

PV Solar Panels

Li-Ion Batteries



PASSIVE WORKING GROUP

Next meeting 24th September 2025

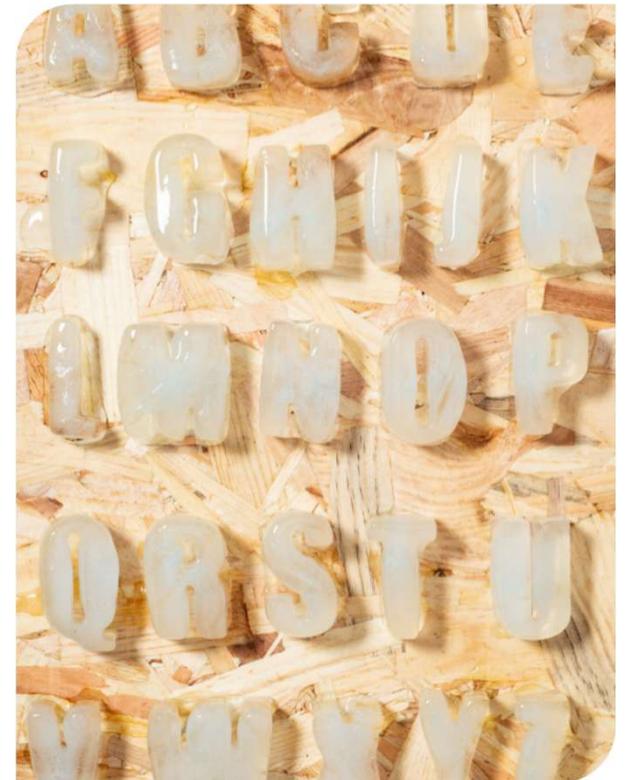
Recent guidance:-

- Elements of Construction
- Architects “grass roots” talks, article & webinar
- Approved Document B article & webinar

Current projects/focus groups:-

- Moisture Management in timber construction
- Hybrid Buildings methodologies in relation to timber construction

Looking for input from CILA in the working group



BUSINESS CONTINUITY WORKING GROUP

Next meeting: 5th November 2025

Recent guidance published:-

- Business Continuity Template (free on-line)
- What Does Good Look Like in Business Continuity Management
- Running BCM tabletop scenario exercises

Current projects:-

- Webinar providing guidance on use of publications

Looking for input from BCI & CILA in the working group



SECURITY WORKING GROUP

Next meeting: 22nd October 2025

2025 documents:-

- Electronic Call Handling Operations (ECHO)
- Supply Chain Resilience
- Alarm Transmission Systems - Signalling

Current Projects:-

- Dual Path signalling
- Smart Security Towers
- Temporary Alarm standards input

Collaboration with NPCC, NSI, SSAIB & BSIA

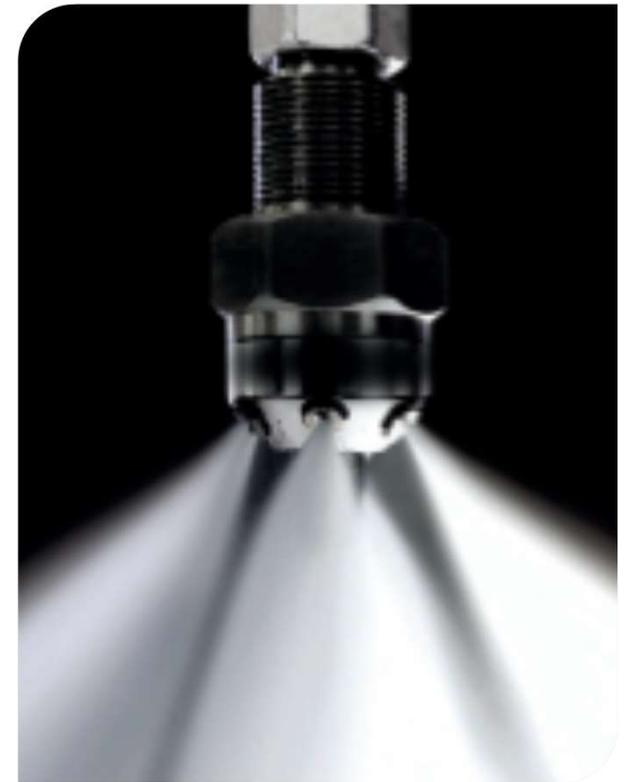


SUPPRESSION & DETECTION WORKING GROUP

Last meeting held: 19th June 2024

Examples of activity in 2025:-

- Completed suite of Active Fire Protection Guides (AFPGs)
- Review of AFPG Novec 1230™ via industry
- Review of AFPG Condensed Aerosol Extinguishing Systems (CAFES) via industry
- Development of Fire Fighting Suppression Selection Toolkit (FFSST)
- Focus Group set up for the delivery of the FFSST



EMERGING RISKS

Next meeting: 14th October 2025

- New working group 2025
- Delegates from a cross section of the working groups
- Examining risks over an extended horizon
- Identifying what is emerging that members want us to research

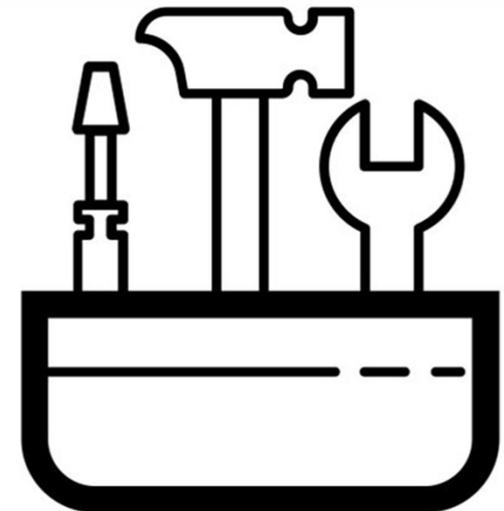
Invitation for CILA to present to the working group



RANGE OF TOOLKITS – FOR MEMBERS AND THE PUBLIC

Fire Response Tool – order & time of delivery of fire appliances to any postcode in the UK
Informer Essentials– PDF of information on postcode (crime/infrastructure/type/RTA/flood+)
AFA – automated fire alarm response profile for each Fire & Rescue Service
Hydrant Locator – partially complete data due to ownership
Hot Works – Test knowledge of operative – video quiz
Fire & Flood Database / Large Loss (see next slides)

Cladding Compliance Toolkit
Fire & Explosion Toolkit
Building Construction Category Tool
Supply Chain Risk Management Tool
Fire Fighting System Selection Toolkit
Business Continuity Template



FIRE & FLOOD, LARGE LOSS DATABASE

Established in 2009 – Mechanism for aggregating fire data - £100k+

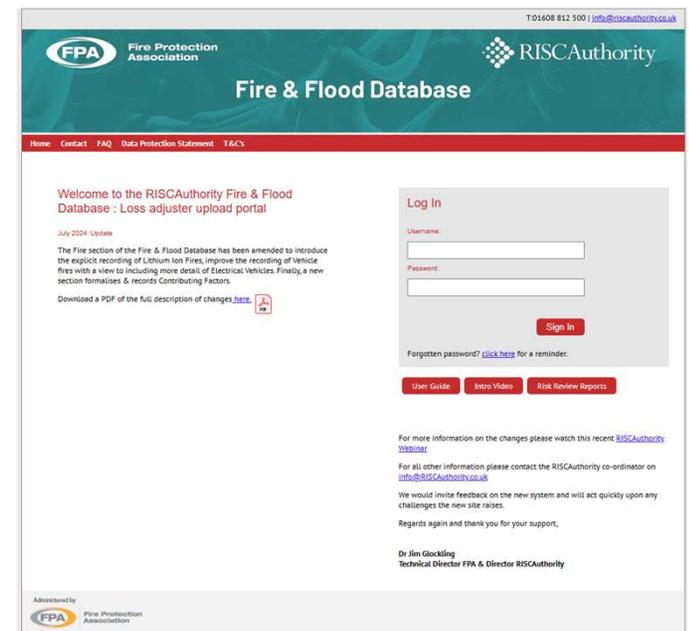
RISCAuthority an ideal independent vehicle that allows insurer members to pool anonymous data for fire insights

Brought together by insurers, government & CILA

Originally paper-based (A, B & C Loss Report Forms?)

Changed to a web portal in 2014

Renamed in 2021 as the Fire & Flood database



FIRE & FLOOD, LARGE LOSS DATABASE

Administered on behalf of CILA

Mandated by insurer members

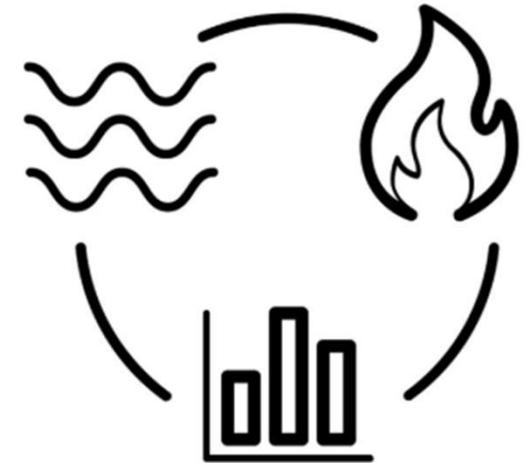
Purpose is to produce real time statistics

Core aims:-

Support UK insurance industry in terms of research into emerging trends in fire loss

Support challenges of government legislation regarding building regulations and proposed revisions to Fire and Rescue Services

Identify and highlight areas of concern for insurers, highlight research requirements, and provide risk mitigation guidance



UPDATE FIRE & FLOOD, LARGE LOSS DATABASE

Current version:-

Voluntary input of 400 data points (small number mandatory fields)

Fire recording

Flood recording

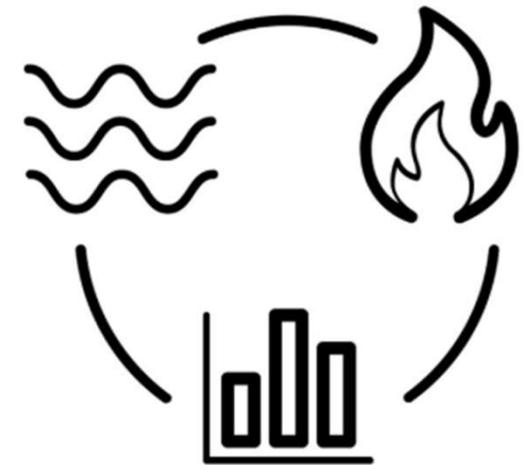
Version 4 – Development – target launch date 1st January 2026

Mandate 40 data points

Aligned with new emerging risks identified by insurers following working groups/workshops with underwriters/claims/ABI

Key aims are to improve data quality by focusing on relevant fields and automation of process

All RISCAuthority members looking to mandate for 2026



V4 FIRE & FLOOD, LARGE LOSS DATABASE

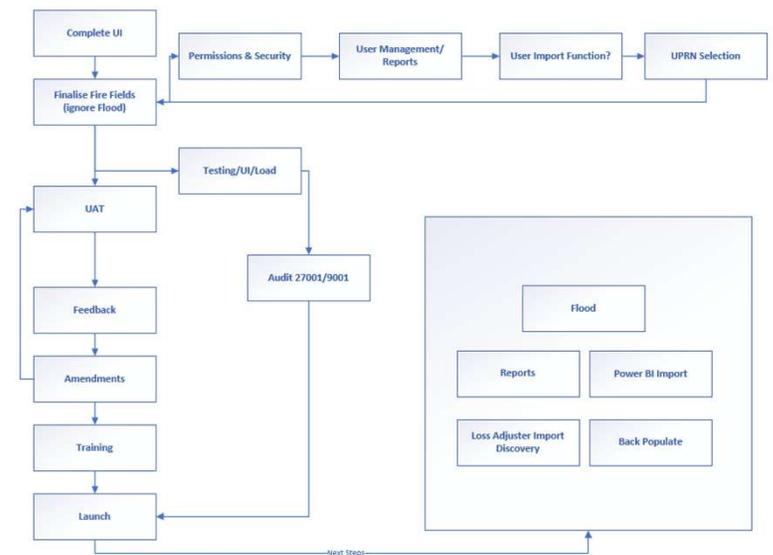
Development testing and responding to feedback

Core working groups of insurers

Core link to CILA property working group as key stakeholders

Manual entry to date we would like to automate directly from loss adjusters

Stage 2 of the process engaging on automation with individual firms



AIMS OF V4

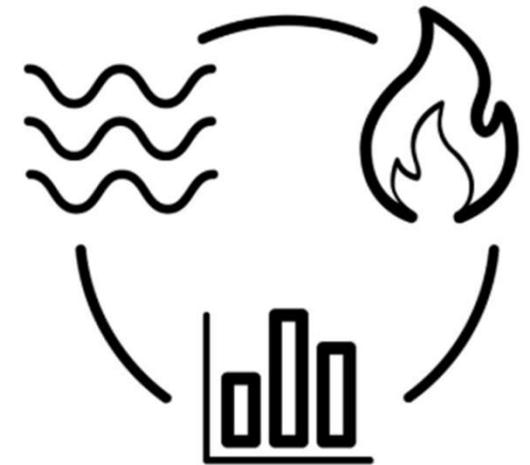
Increase volume of data

Improve data quality

Ensure relevant to stakeholders

Automate to make input easier for Loss Adjusting Community

Continue to engage insurers adjuster teams and CILA



INVITATION TO CILA

Working Groups invitation to CILA – Passive Working Group,
Business Continuity Working Group

Key input & insight value to insurers/RISCAuthority within focus
groups

Current focus groups on PV, Lithium-Ion, Moisture Management
and Hybrid Construction in Timber Buildings



QR CODE FOR INFO

Keep up to date

If you would like to learn more about RISC Authority and the latest developments to the Fire and Flood Database upon its launch, please scan the QR code and complete the registration form.





THANK YOU

[https://www.thefpa.co.uk/
research/riscauthority](https://www.thefpa.co.uk/research/riscauthority)

doakley@thefpa.co.uk



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Blue Sky Thinking Sky & Mace vs Riverstone

Mark Simmons, McLarens
Louis Foscolo & Caitlin Gallagher, Kennedys

 **McLarens** Kennedys



Kennedys



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The Perfect Storm

Responding Effectively to Uniquely Challenging Situations

Alex Wakefield, McLarens Private Clients & Estates
Mike Boast, Gateley Smithers Purslow



New Instructions



“PH called to say is away on holiday and that a neighbour discovered damage to corner of house following high winds.



Thinks it might be dangerous but has not been to see it yet due to poor health”

HELP! I need somebody...

- Not just anybody, either. This looks quite bad, doesn't it?





Greeted by a local builder for the owner, he's happy to wash his hands of responsibility

Over the weekend, the builder has put up signs and boarded over the entrance doors

Otherwise, he has spent most time fending off enraged local residents, the local authority, press, and trespassers

Significantly, he's ready to let go of his frustration and ranted about the property being a disaster waiting to happen

Let's take a look at the situation...



Grade II* listed



Conservation Officer involved



Homeowner AWOL, won't answer calls – email only



Public road leading to small housing development blocked



Bins can't be emptied. Cars have to be left at bottom of steep unpaved track



Sloping site



Clear indication of poor maintenance and liability in question



Risk of falling masonry to main road below

Deep breath...



Who do I have a duty to? Me?
My principals? The owner? The
local residents? What if
someone got hurt?

It's OK if you don't know. There
is help. Stay calm, find it.



We need...



Building Expertise

Legislative Experience

Liability Knowledge





Time to
call Mike!



Further challenges

- Risk doesn't tally with Statements of Fact (SOF)
- Underinsurance a certainty
- Contents is being damaged by rain
- Evidence of very poor pre-loss condition
- Local residents indicate property has not been used for years
- Can't diagnose cause without access.....
- Access is impossible without spending on demolition



Prioritise

- First duty is to protect myself. Stay clear of danger. Gather as much info as possible without risk.
- I need an expert to tell me who is responsible as of now
- I want to know how to ensure I don't inadvertently put myself in the firing line
- From there, we can plan
- Therefore, I need a building expert. A multidisciplinary practice would be ideal.
- What's my objective? I need someone to take control of this site.
- I need Insurers to confirm they will fund.



Questions to Building Expert

- Am I in the firing line? How do I get out of it?
- Make it someone else's problem so I can concentrate on my job
- What practical steps can be taken?
- How can we get inside and identify cause?
- How can we demonstrate pre-loss condition with certainty?



Engagement with experts

- Consultation with a multi-disciplinary company **EARLY!**
- Conversations from site to PLAN next steps.
- Surveyors, Architects, Structural Engineers, M&E
- Questions back to adjuster

MAIN PRIORITY

- Responsibility and Duty of Care
- Protect the public and comply with H&S. Security.
- Legal and moral obligations
- Protecting insured's interests – Negligence if failure to comply



Engagement with experts

- Consider safe access for further investigations
- Compile background information prior to site visit
- Local Authority intervention
 - Dangerous Structure
 - Planning & Conservation
 - Listed Building
- Record key building details... and debris
- Utilise non-invasive equipment



Experts Action

- Carry out an initial inspection **ASAP**. Structural Engineer.
- Immediately assume liability where advice given/inspection
- Take on Principal Designer duties – H&S
- RA and MS
- Ensure contractor suitably qualified



Experts Action – Back a Step

- Document and report all findings
- Work on a without prejudice basis
- Agreed feescales
- Agreed SLA's
- Local presence
- Professional Indemnity protection
- Conditions of Appointment



Summary – Key Reflections

- Instruction quality is important. Ask questions. Find out all you can BEFORE you go.
- Tell your principal what you need
- Professional assistance needed ideally day one.
- Allows each professional to concentrate on their area of expertise and duties
- Ongoing discussion and consultation
- Plan next steps
- Trust through clarity of instructions
- Clear parameters and red lines





THE CHARTERED INSTITUTE
OF LOSS ADJUSTERS

Lithium-ion Batteries A Forensic Insight

Lucy Pinkard, Hawkins

Hawkins
Leaders in forensic investigation



Lucy Pinkard



- BSc. Forensic Science from University of South Wales
- Worked for Avon & Somerset Constabulary for nearly 15 years as a CSI, CSM and Fire Investigator
- Foundation Degree in CSI from University of Teeside
- MSc. Forensic Investigation of Explosives and Explosions from University of Cranfield Forensic Institute
- Thesis written in *Nefarious uses of Lithium – ion batteries in terrorist setting*
- Started working in the civil sector (insurance) at the start of 2024
- Joined Hawkins & Associates in January 2025

Research



‘Can the adverse effects of thermal runaway, associated with Lithium-ion batteries, be initiated for nefarious purposes.’

Research

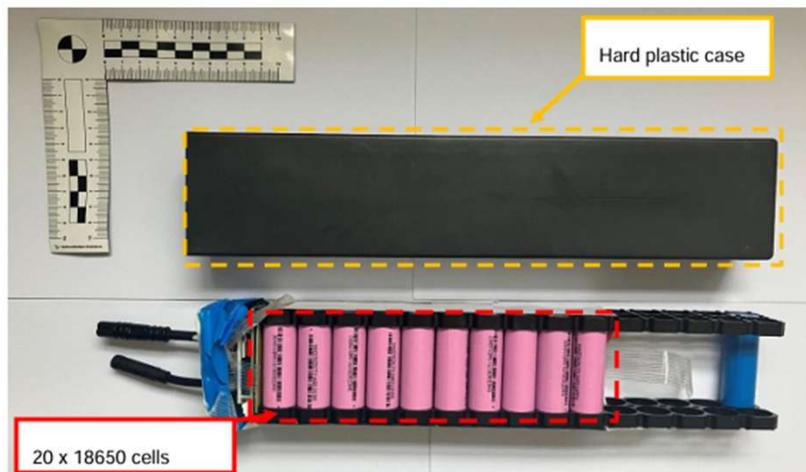


Figure 3-10 Breakdown of battery pack with hard black plastic casing

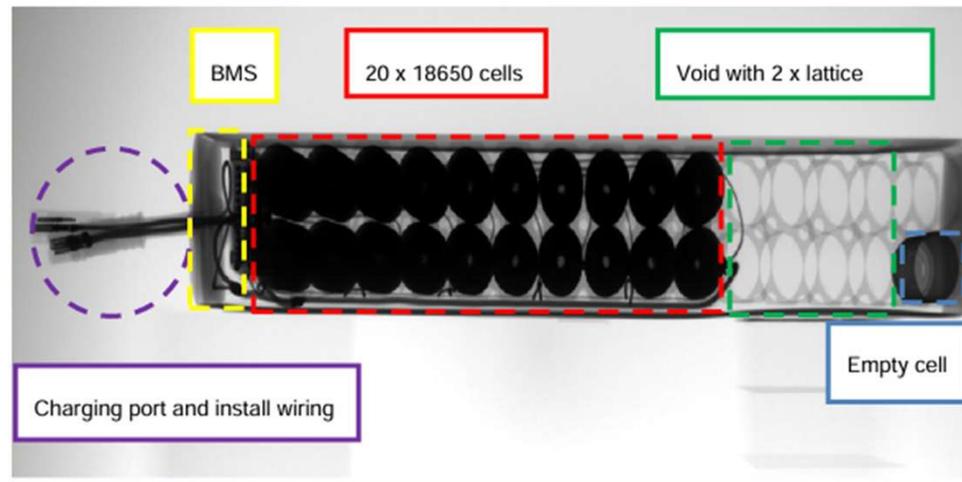


Figure 3-9 X-ray of top aspect of battery

- Research carried out in partnership with DSFRS, Alford Technologies and CFI
- Activated batteries using firearm, initiator and detonator cable
- How effective was initiation?

Findings...

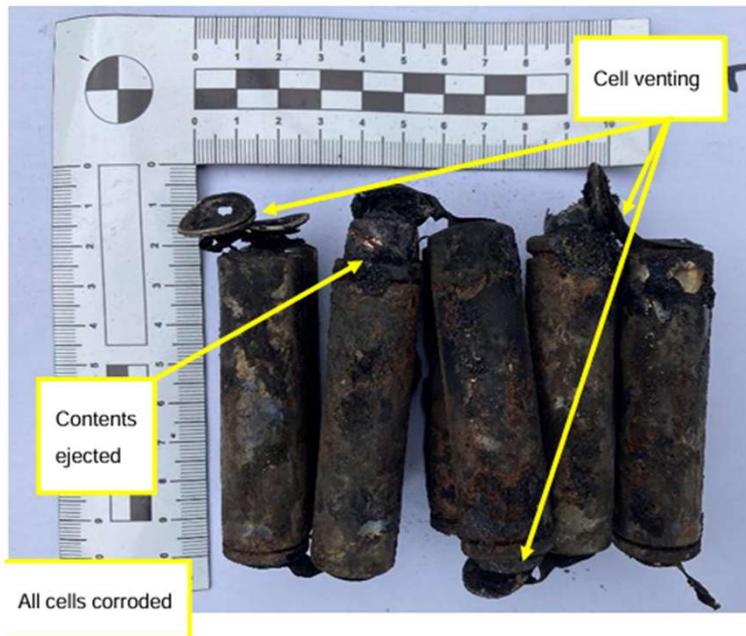


Figure 4-1 Sample 1 detonator initiation 18650 cells post initiation



Figure 4-12 Sample T8 damage

A faint, dark blue world map is visible in the background of the slide, centered behind the main text.

Why are lithium-ion batteries so popular?

It's all about energy density ...

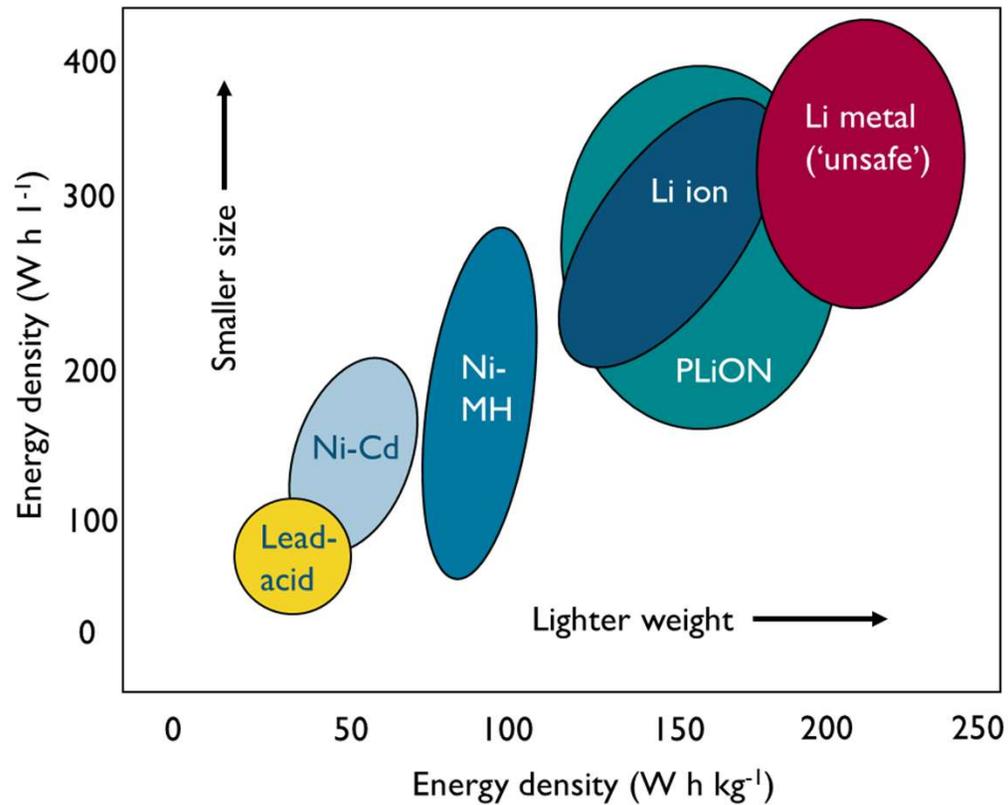
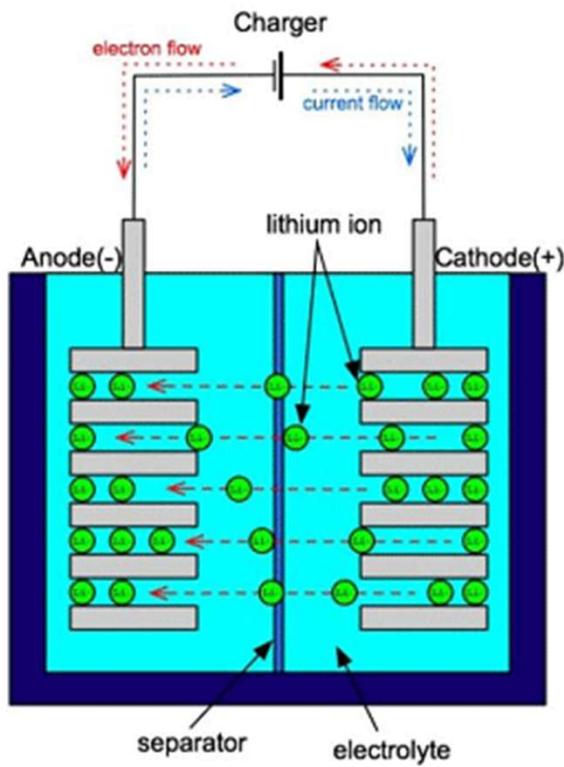


Image source:
<https://www.24hshop.fi/kotielektronikka/paristot/ladattavat-paristot/akku-18350-900mah-37v>

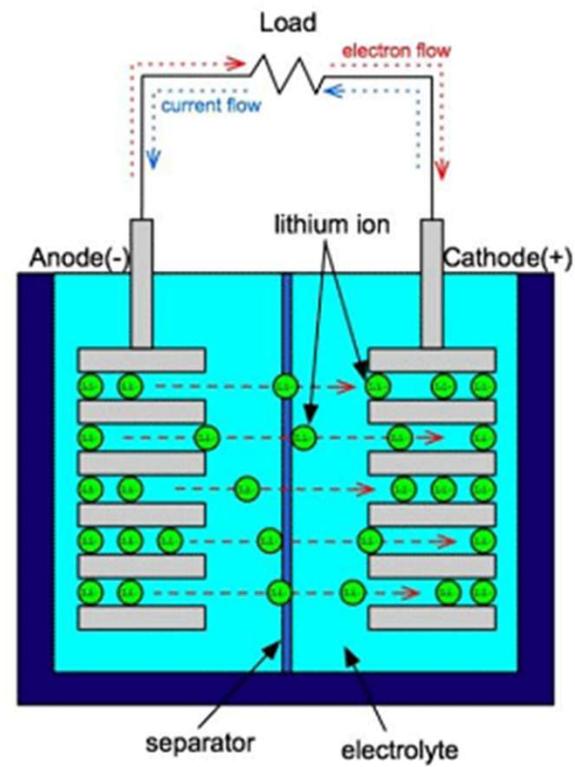
Confidential - Internal Only

Hawkins
Leaders in forensic investigation

Operation of a Li-ion cell



CHARGING



DISCHARGING

18650 cylindrical cells



- Slightly larger than AA cell
- 18mm x 65mm
- 3.7V terminal voltage
- 1500 – 3500 mAh capacity
- Common size used in electric vehicles, electric bikes/scooters, laptops etc.
- Often combine cells to get greater voltage & capacity ('batteries')

Built-in protection (battery)

Example laptop battery



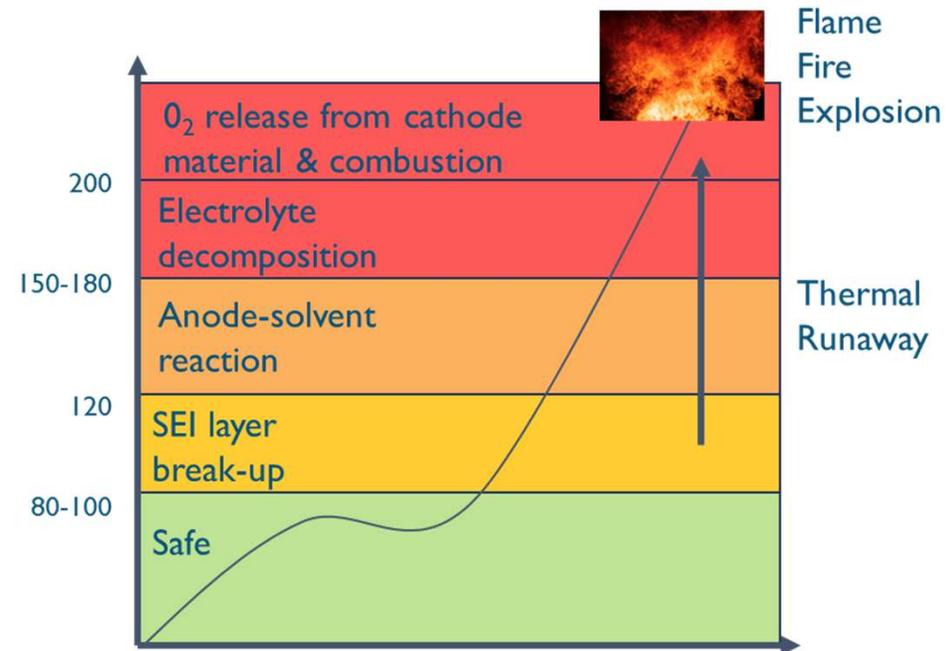
Battery protection PCB ('Battery Management Unit' / BMU)

6 x 18650 cells (3 series sets of two in parallel)

Failure of Li-ion cells

Energetic failure – thermal runaway

- Begins if heat generated > heat dissipated
- Internal cell temperature increases
- Internal cell pressure increases
- Venting from the cell
- Vent gas ignition
- Cell contents ejected
- Thermal runaway propagation
 - One type of failure in cell causes damage leading to other failures
 - Cell constituents react exothermically
- Failure of one cell causes failure propagation to other cells
- Smaller cells / batteries fail ‘like a firework’ – can create well established fires quickly
- Larger cells / batteries – much more volatile



Causes of failure

- Poor electrochemical design
- Cell and battery faults due to manufacturing defects
- Environmental aspects
- Mechanical abuse
- Thermal abuse
- Electrical abuse
- 'DIY' battery replacement & tampering
- Environmental aspects

Defects in
manufacture

Defects in use /
disposal

Testing

- United Nations UN 38.3 Transportation Testing
- All Li-ion cells and batteries submitted for transport are classified as Dangerous Goods ('Class 9' – miscellaneous) and **must** be tested (except small production runs and damaged batteries).
- Both the cells and their packaging **must** be type tested.

Test No.	Test Type	Comments
T1	Altitude Simulation	Simulates low pressure (air transportation)
T2	Thermal test	Integrity check during rapid and extreme temperature changes
T3	Vibration	Simulates vibration during transportation
T4	Shock	Simulates shock during transportation
T5	Short Circuit	Simulates the application of an external short circuit
T6	Impact	Simulates impact and crush to the cell casing
T7	Overcharge	Simulates overcharge of a rechargeable battery
T8	Forced Discharge	Simulates forced discharge / overdischarge of cells

But we are still seeing incidents:

- Recent OPSS (Office for Product Safety Standards) report* on PLEVs#:
 - From London Fire Brigade: In 2017 – 2 incidents, In 2023 – 178 incidents
 - Since 2022 (Source: OPSS):
 - 21 product recalls, 29 Product safety reports,
 - 26 Withdrawal notices to retailers of unsafe E-bike batteries
- DIY or ‘conversion kit’ PLEVs a more likely to be involved in fires
- ‘Price per unit of energy’ correlates with safety
 - Lower price: poor manufacturing and quality, absence of safety features, poor environmental design, poor / unsophisticated BMUs, ineffective protection
- User activity:
 - Charging with incompatible equipment (replacements?)
 - Charging in incorrect (or unsafe) environment (e.g. near heating)
 - Tampering / bypassing of BMUs

Fire investigation challenges



Case Study – E-Scooter Fire



- **Carry out a full and thorough investigation – Causative or Reactive**
- **Exclude all other causes**
- Ascertain manufacturer of e-scooter and charger
- Bought second hand
- Interviewed original owner – had carried out work
- Charger and E-scooter incompatible
- No recalls

Office Locations



Our Expertise

Fire & Explosion

- Vehicle & machinery fires
- Fires in buildings
- Fire stop and spread
- Fire modelling
- Explosions

Cyber, Digital & Technology

- 3D modelling
- Data recovery
- Digital forensics
- Video analysis

Power & Energy

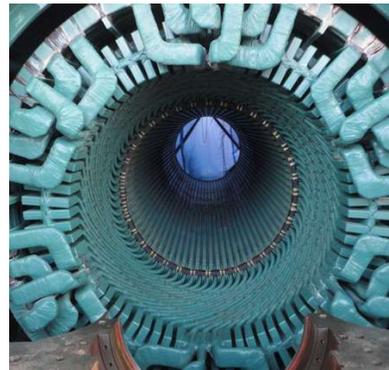
- Thermal Power
- Oil & gas
- Renewables

Engineering

- Electrical/Electronics
- Mechanical
- Chemistry & process

Personal Injury

- Construction injuries
- Falls from height
- Lifting operations
- Manual handling



Built Environment

- Acoustics & vibration
- Forensic architecture
- Civil engineering
- Fire engineering
- Flooding & hydrology
- Health & Safety

Quantum & Delay

- Quantity surveying
- Infrastructure
- Cross country pipelines
- Conservation cases
- Complex & historical projects

Marine

- Cargo spoilage
- IMDG / IMSBC cargo
- Liquefaction
- Master mariner

Materials, Chemistry & Biology

- Contamination / pollution
- Metallurgy
- Composites
- Plant pathology

Road Traffic Collisions

- Collision reconstruction
- Vehicle examinations



Our Levels of Investigation

Our reporting is flexible and can be tailored to your needs, depending on the scale and urgency of the investigation. If you think you might have the need for an investigator but are unsure what service you might need, we can provide you with a no obligation free consultation to discuss your requirements.



* Fixed Price Service

Any Questions?

- Lucy Pinkard
- E: lucy.pinkard@hawkins.biz
- T: +44 7355 135944





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Judgment Calls: What Recent Cases Mean for the Future of Policy Interpretation

Nicola Maher, Edwin Coe LLP
Lauren Murphy, Edwin Coe LLP
Melissa Cunningham, Marsh

EdwinCoeLLP



Introduction

- **Nicola Maher**, Partner, Insurance Disputes – Edwin Coe LLP
- **Lauren Murphy**, Associate, Insurance Disputes – Edwin Coe LLP
- **Melissa Cunningham**, Senior Vice President, Consulting Director, Cyber and FINPRO Claims Preparation Practice Leader, Claims Solutions - Marsh Advisory



What will we cover?

- A brief summary of the legal principles arising out of recent cases, how they pose to re-shape the insurance landscape and what this means for the future of policy interpretation.
- *Bath Racecourse & Others v Liberty Mutual Insurance/Gatwick Investment Ltd & Others v Liberty Mutual Insurance*- “**the Bath Racecourse/Gatwick litigation**”;
- *Aercap Ireland Ltd v AIG Europe SA* – “**the Russian aircraft litigation**”;
- *Lonham Group Ltd v Scotbeef Ltd*.



Bath Racecourse/Gatwick litigation

- Linked proceedings of *Bath Racecourse Ltd & Others v Liberty Mutual Insurance* and *Gatwick Investment Ltd & Others v Liberty Mutual Insurance*.
- Court of Appeal decision February 2025.
- Concurrent causation analysis should be applied as per the Supreme Court's conclusions in FCA Test Case.
- Permission to Appeal on causation was rejected by Supreme Court in the At the Premises case.



Bath Racecourse/Gatwick litigation

- **Limits** - Policyholders with composite policies of insurance have individual limits of indemnity available to each of the policyholders separately, rather than multiple insureds sharing a single limit of indemnity between them.

COMMERCIAL COMBINED SCHEDULE

Insured:

Starboard Hotels Ltd & Associated Companies



Bath Racecourse/Gatwick litigation

- **Furlough** – Did engage the the savings clauses: the furlough payments caused the insureds' wage costs to 'cease' or 'reduce' and the payments were 'in consequence of' the insured peril. Credit did have to be given for Furlough payments.
- Subject to appeal before the Supreme Court in February 2026.
- Issue of market wide importance estimated to be worth billions.



Bath Racecourse - High Court

- High Court decision May 2025.
- ‘Competent authority’ includes the BHA and GBGB.
- ‘Any one loss’ wording operates to provide each of the separate premises with their own limits of indemnity. Also applies to each government restriction.



How the findings from *Bath Racecourse* will affect adjustment of claims

Covid-related claims

- Treatment of furlough – especially if no top-up paid by the policyholder
- Settlement wording
- Advice to the insured – to keep the claim open until the appeal?
- Limitation on bringing claims related to Covid – March 2026

Non-Covid related Claims

- Composite policies
- Sub-limited claims
- Importance of declared values per location
- Risk of underinsurance per location



The Russian aircraft litigation

- *Zephyrus Capital v Fidelis Underwriting*
- Aircraft grounded in Russia
- Russian exclusive jurisdiction clauses = no jurisdiction in English Courts
- Claimants unlikely to receive a fair trial in Russia
- Application for a stay refused
- Claims pursued through English courts



The Russian aircraft litigation

- *Aercap Ireland and Ors v PJSC Insurance Company*
- Aircraft grounded in Ukraine
- Ukraine exclusive jurisdiction clause – no jurisdiction in English Courts
- Kyiv Commercial Court not in a conflict zone
- No evidence of power outages or daytime raids
- No strong reason to depart from the jurisdiction clause.



The Russian aircraft litigation

- Claimants were the owners and lessors of over 200 aircraft leased to Russian airlines.
- Aircraft insured by Russian insurers.
- Defendants were various London and international market reinsurers of the aircrafts.
- Russian invasion February 2022.
- Claimants issued default and termination notices.
- Counter-sanctions prevented aircrafts from leaving Russia.
- Claimants issued claims worth circa \$10bn via 'cut through clauses'.



The Russian aircraft litigation

- High Court decision 2025:
 - All Risk v War Risk GR 311 - sole proximate cause – War Risk
 - Contingent v Possessed cover – Contingent - see insuring clause
 - “Grip of the peril” principles apply
- War Risk insurers have applied for permission to appeal.



How the findings from *Aercap* will affect adjustment of claims

Political Violence / War Risks

- Loss of possession or physical loss / damage?
- *Hamilton Corporate Member and Ors vs Afghan Global Insurance Limited and Ors.*
- Understanding the timeline of loss, even if the trigger happens after the policy end.

Future changes

- Reviewing policy wordings.
- Territorial limits, especially when dealing with split policies (operational vs lessee).
- Clarity on policy triggers, causation, political / regulatory authorities.



Lonham Group Ltd v Scotbeef Ltd

- Claim arose from D&S supplying Scotbeef with 100,000kg of defective meat.
- Claim issued in July 2020.
- D&S was a member of the Food Storage & Distribution Federation and argued that, under those rules, its liability was limited to £250 per tonne.
- Judgment in 2022 found that the FSDF terms were **not** incorporated into the contract. Scotbeef secured judgment for its losses.
- D&S went into administration.
- Scotbeef added D&S' liability insurer, Lonham, to the proceedings to enforce its judgment



Lonham Group Ltd v Scotbeef Ltd

- The policy contained the following “Duty of Assured” clause:
- *“It is a condition precedent to the liability of Underwriters hereunder:*
 - *(i) that the Assured makes a full declaration of all current trading conditions at inception of the policy period;*
 - *(ii) that during the currency of this policy the Assured continuously trades under the conditions declared and approved by Underwriters in writing;*
 - *(iii) that the Assured shall take all reasonable and practicable steps to ensure that their trading conditions are incorporated in all contracts entered into by the Assured.”*
- Lonham argued that, because the FSDF terms were not incorporated, D&S was in breach of the above clause.



Lonham Group Ltd v Scotbeef Ltd

High Court held:

Condition (i)

- Held to be a representation.
- s.9(2) IA 2015: *“a representation is not capable of being converted into a warranty by means of any provision of the non-consumer insurance contract”*

Conditions (ii) and (iii)

- Not representations.
- Contracting out under s.16 and s.17 IA 2015?
- Duty of fair presentation?



Lonham Group Ltd v Scotbeef Ltd

Court of Appeal Decision:

- Reversed (in part) decision of High Court;
- D&S in breach of either or both conditions (ii) and (iii);
- No right of indemnity against Lonham which could be enforced under the 2010 Act.



How the findings from *Scotbeef* will affect adjustment of claims



Before a loss occurs..

Understanding the impact of conditions

Communicating these to the policyholder

Understand how compliance will be recorded



Following a loss...

Understanding the individual clauses

The adjuster's duties

Documenting compliance (or not) and reporting to insurers



Conclusion and Q&A





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Investigating Fires and Engineering Failures: The Forensic Link to Insurance Claims

Dr James May & Dr Matthew Suddards, Burgoynes

Burgoynes

consulting scientists and engineers

What is it?

The identification, retention and examination of information and evidence to determine the cause(s) of an event.



Fire and Explosion



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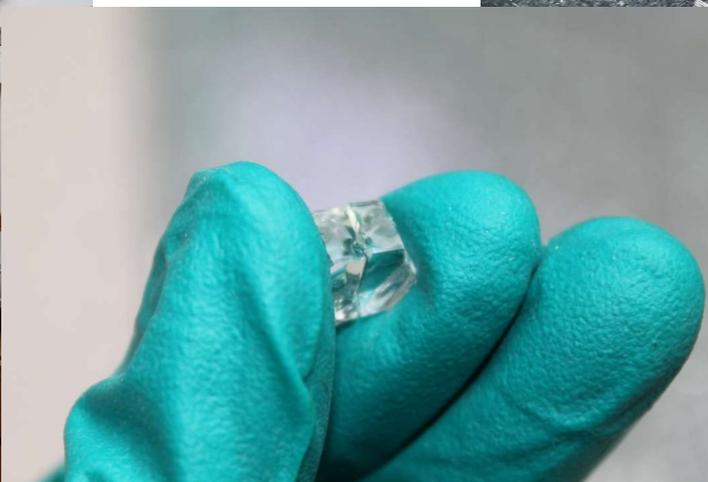








Fire Investigation



Burgoyne



Events

- Fires and Explosions
- Escapes of water and other substances
- Mechanical Failure
- Structural collapse
- Personal Injury
- Contamination



Experts

- Chemistry
- Electrical Engineering
- Engineering and Materials
- Fire & Explosions
- Marine
- Transport & Road Traffic Accidents



Context of Investigations

- Insurance claims
- Civil litigation proceedings
- Criminal litigation proceedings
- Public Enquiry
- Quality/manufacturing issues



Preliminary Inspection

- Visual inspection – hands in pockets
- Start to form a hypothesis – test using information/physical evidence available
- Other causes and contributing factors?



Preliminary Inspection

- Interviews
- Enquires
- Other information



Thermal Imaging



Burgoyne



Detailed Inspections and Analyses

- Systematic and detailed examination
- Form a working hypothesis
- Test the hypothesis

- Interview and other information
- Reporting



Litigation

- Civil Procedure Rules (CPR)
- Experts overriding duty to the Court
- CPR report:
 - If there is a range of opinion this must be set out and dealt with in the report



Litigation

- Joint inspection of evidence
- Joint meetings to discuss areas of agreement and disagreement
- Joint Statement for the Court – setting out areas of agreement and disagreement (with reasons why)



Telephone or email

- www.burgoynes.com for contact details
- postmaster@Burgoynes.com



- Timing - sooner the better, it's never too early:
 - Preservation of evidence is critical
 - Avoid repairs or other disturbances
 - Take photographs, or ask those on site to take photographs
 - Take photographs of the source of the damage



Healthcare Disasters



Burgoyne





- Timing - sooner the better, it's never too early:
 - If parts are removed, ensure they are safely retained

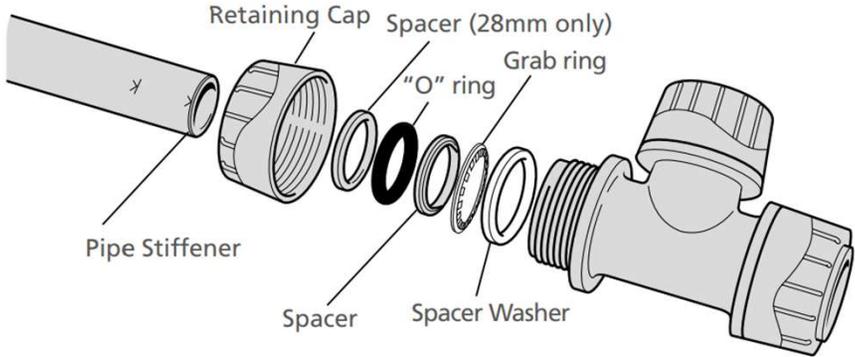


- Timing - sooner the better, it's never too early:
 - Data logs and CCTV can be overwritten
 - Witnesses leave
 - Obtain contact details of witnesses and involved parties



Fraudulent Claim





PolyPlumb fittings general arrangement





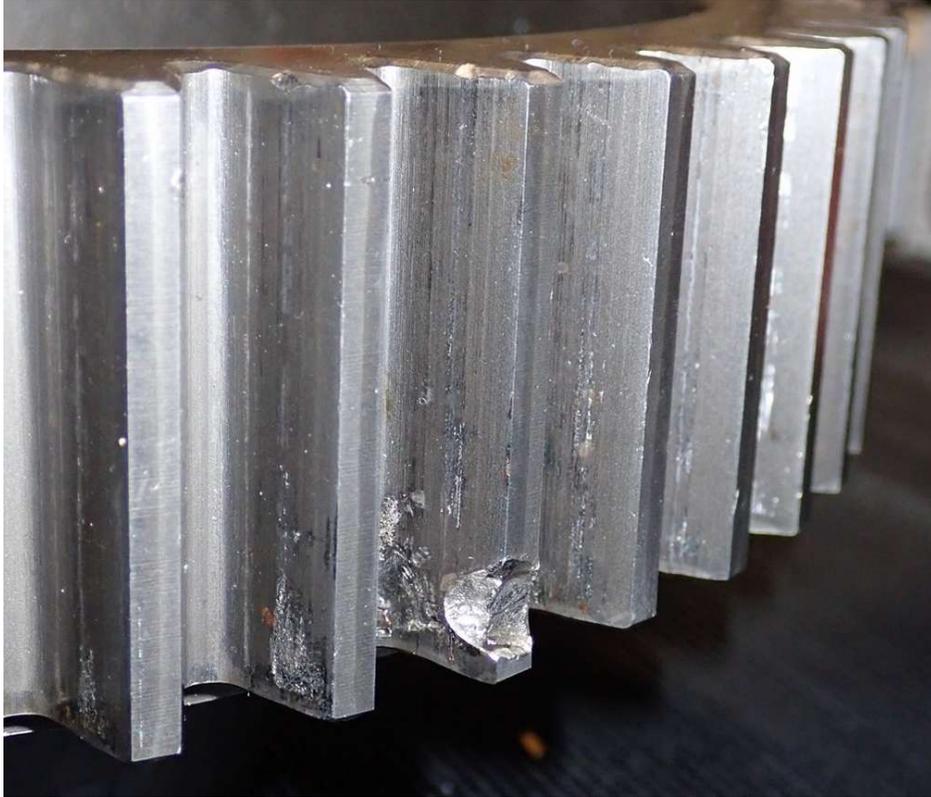




Gear Set Failure



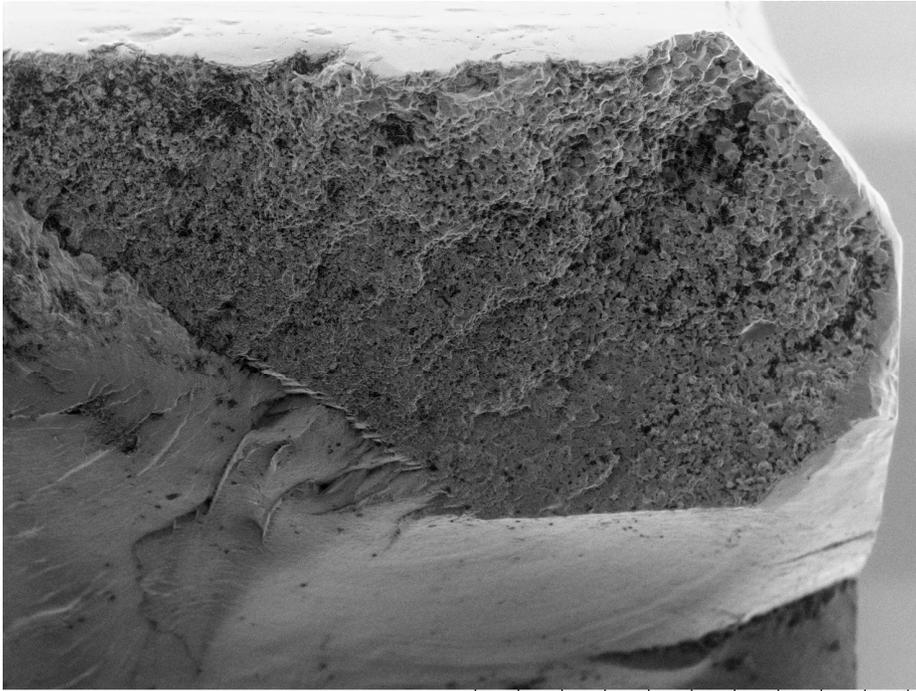




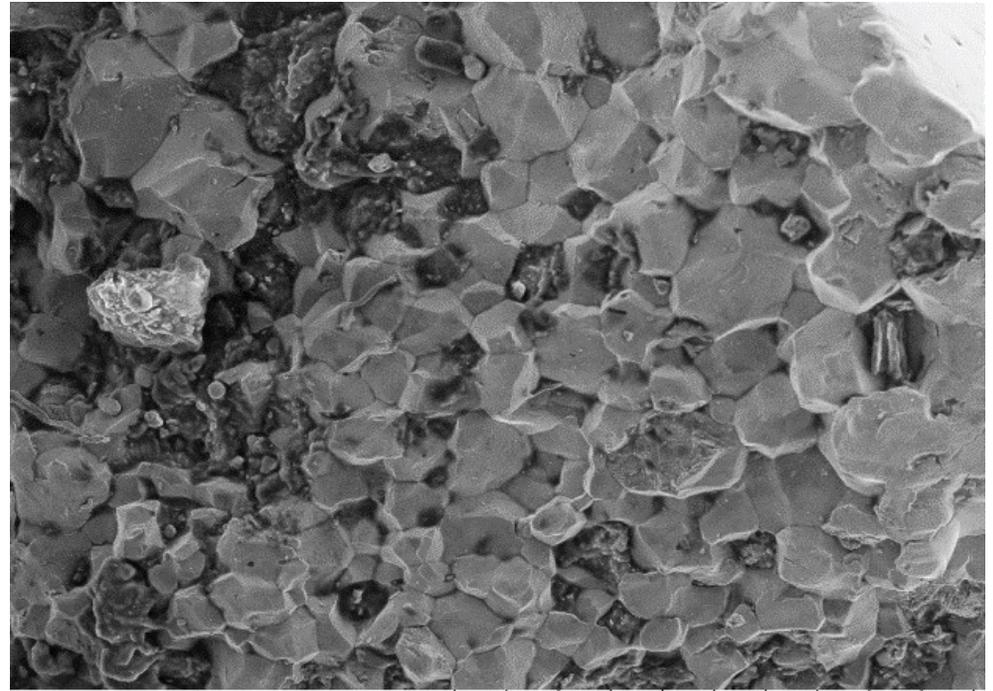








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consulting scientists and engineers

Investigating Fires and Engineering Failures:

The Forensic Link to Insurance Claims

Dr Matthew
Suddards

All fire investigations can be split into two stages:

- 1) Determination of the area of fire origin.
- 2) Examination of potential ignition sources in the area of origin.

The precision with which the area of origin can be determined often (but not always) dictates the degree of confidence to which the cause can be ascribed.

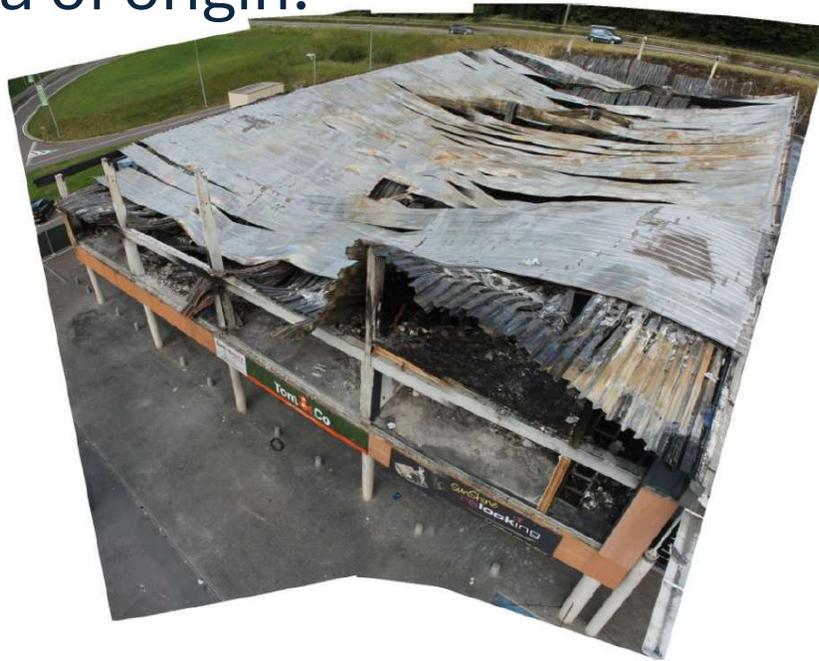


In some instances, the area of fire origin is clear:



Fire Investigation

In other cases, there are no fire patterns to indicate the area of origin:



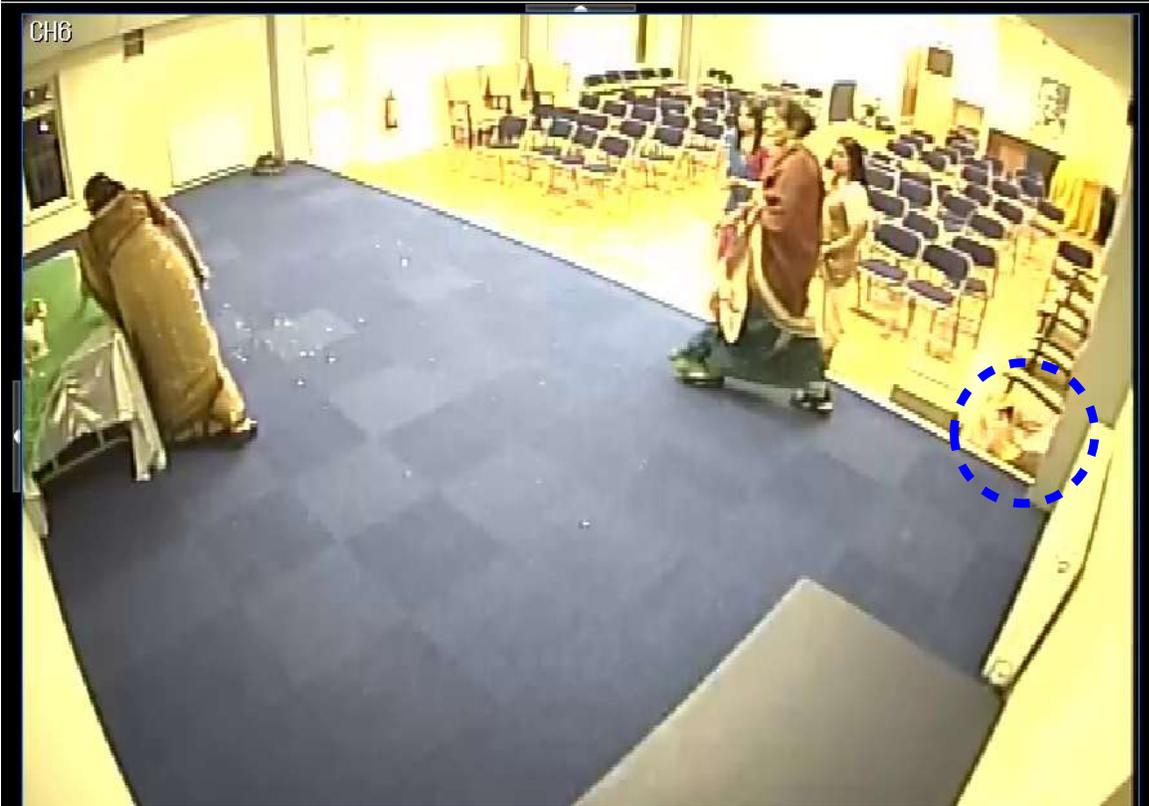
CCTV Evidence:













Investigation of a fire involving a dishwasher in a domestic property

- Conduct interviews of the relevant witnesses
- Reconstruct the scene to identify patterns of damage
- Preserve evidence by photographing and documenting the scene
- Consider and, if possible, eliminate other external sources of ignition
- Recover appliance from the scene for laboratory examination





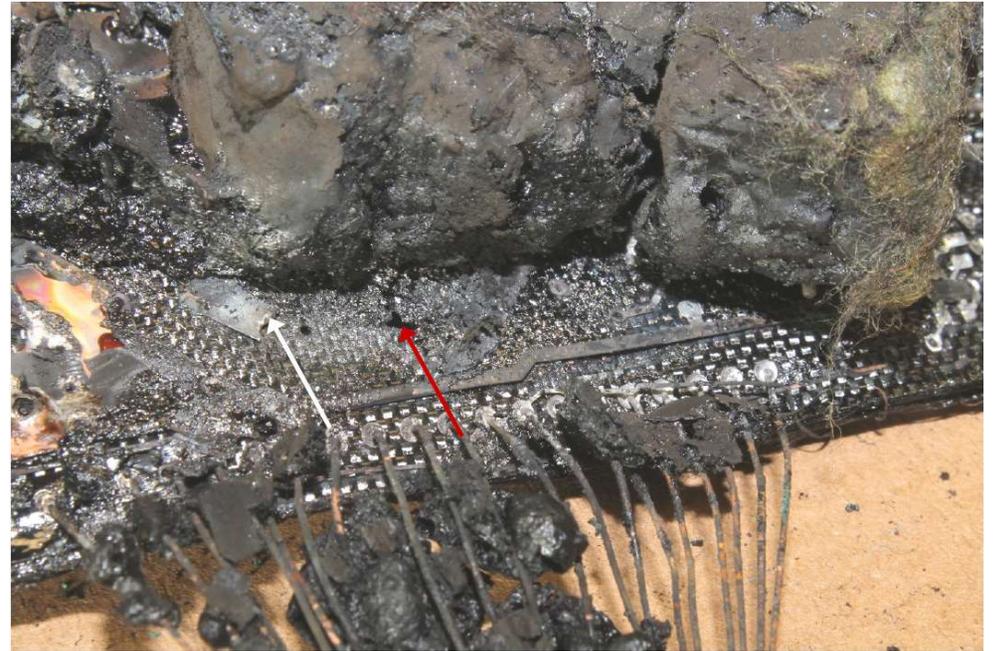
It is not uncommon for us to need to reconstruct the fire scene before we carry out our investigation







Destructive examination revealed most severe damage inside the appliance was confined to the void inside the door



Investigation of a fire involving a hotel

- Fire involved a freestanding gas deep fat fryer in the kitchen
- The deep fat fryer caught fire the first time that it was used after cleaning
- The staff promptly alerted the fire service
- However, the fire spread to involve the extract system, the roof and the main part of the building.





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- Fire damage in the kitchen centred on the cooking equipment and extract canopy in the vicinity of the deep fat fryers

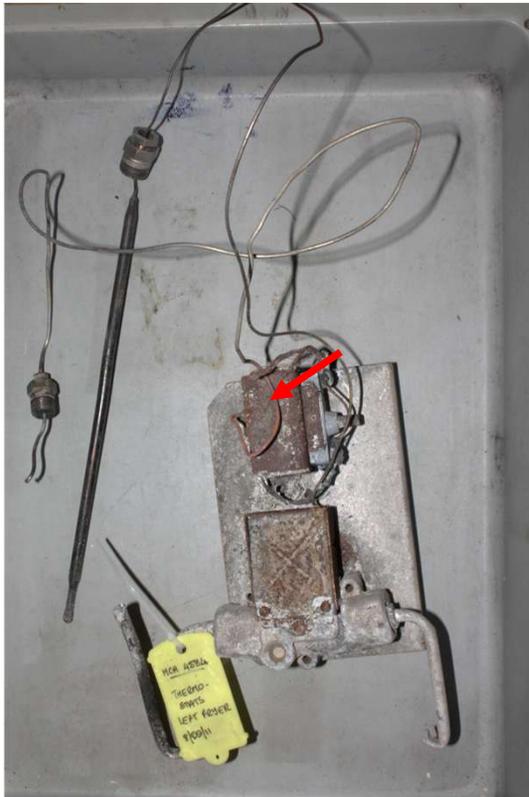


Burgoyne



- Frying tank had been filled with sufficient oil
- Leak tests confirmed that the gas supply pipework and control valves were gas-tight.
- Fire damage to frying tank indicated that the oil in the tank had been ignited during the incident. Therefore, it must have been heated above its fire point which was well above the normal operating temperature





- Bulb of operating thermostat found detached. Very probably as a result of damage sustained during the recent cleaning.
- Over temperature thermostat over wired and hence not operational.
- Cause of the fire. Heating of oil above its auto ignition temperature due to a defective temperature control system.

- The deep fat fryer was left unattended whilst in operation and therefore early signs of overheating were not identified.
- Staff on duty were not aware that there was an emergency gas isolation button to interrupt the gas supply



Emergency gas
isolation button

Gas control
valve



Spread of the fire

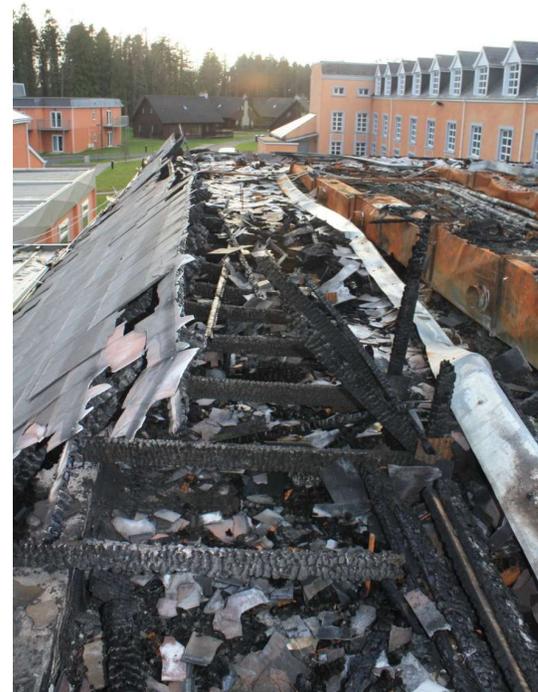
- The fire spread to involve the extract canopy and extract ductwork
- Shortly afterwards the fire spread to involve the flat roof and the rest of the building.
- Fires involving extract systems are foreseeable. Therefore, they should be designed and installed to prevent spread to the structure of the building.
- Why did a relatively small fire involving a cooking appliance result in devastation of the building?



- Extract terminal was routed vertically through the flat roof



- At a later date a decorative pitched roof had been built around the edge of the flat roof, and it had enclosed the extract terminal
- The timber joists of the decorative roof were in direct contact with the extract terminal



- This decorative pitched roof became involved in the fire and allowed the fire to spread into the main part of the building



Summary of case study

- Fire caused by overheating of oil in the deep fat fryer
- Overheating due to damage caused during cleaning and bypassing of the over temperature thermostat
- The fire was able to develop as the appliance was left unattended and staff were not trained to operate gas shutoff valve
- A timber roof structure in direct contact with the extract system resulted in the fire spreading to involve the entire building



Domestic fires:

- Air fryers – typically manufacturing defects
- Solar PV installations – typically installation defects
- Solid-fuel stoves – installations defects and careless handling of ash
- Lithium-ion batteries – manufacturing defects and poor charging practice
- Cannabis propagation – electrical faults and heat from grow lights



Commercial fires:

- Lithium-ion batteries - including counterfeit power tools batteries, and batteries concealed amongst waste
- Solar PV installations on commercial buildings - typically installation defects
- Biomass heating systems - installation defects and poor handling of waste
- Burning of waste in the open





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The Show Can't Go On

Shaun Coyne, QuestGates



CONTINGENCY AND NON-APPEARANCE INSURANCES

WHAT ARE THEY?



Contingency

**Events: From Church Fetes to
FIFA World Cup**



Non-Appearance

**Live Music: From Promoters
to Acts**

...and lots more in between!

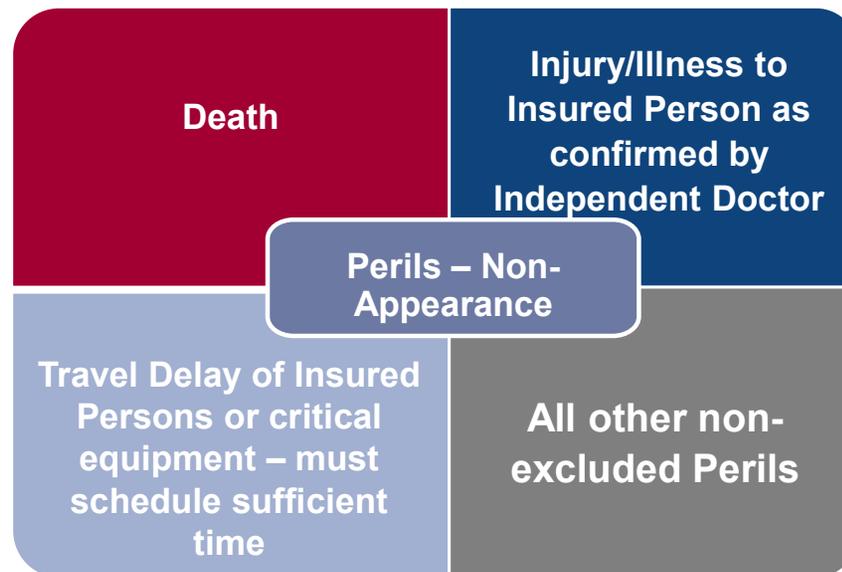
INSURANCE COVER

To indemnify an Insured for:

- Their Ascertained Net Loss following:
- Cancellation, Abandonment, Postponement, Interruption, Curtailment, Relocation

All of which must be:

- Necessary and Beyond the Insured's/Participant's Control
- Mitigation Costs
- Our ICOW



Warranties- Contingency

- All necessary contractual arrangements in place
- All authorisations/Licences in place

Exclusions – Highlights

- Contractual Disputes/ Breach by Insured or Participant
- Adverse Weather – can be bought back
- Financial Failure
- Withdrawal of Finance
- Lack of Sales or Profits
- Lack of Support
- Terrorism or Threat – can be bought back

ASCERTAINED NET LOSS

Coverage for Expenses
and Net Profit

Expenses – where
irrevocably expended,
less savings and
retained Gross Revenue

Reduction in Net Profit
against budget

So how does this work in practice?

2001 Ryder Cup – Belfry

- Postponed following 9/11
- Announced 2 weeks before event



Olympic Games Tokyo 2020

- Scheduled July 24 – August 9
- Postponed on March 24 by IOC and Japanese Prime Minister due to pandemic
- 122 days prior to Opening Ceremony at newly built National Stadium
- Rescheduled dates July 23 – August 8, 2021



Questions



Passion. Partnership *Progress* QuestGates





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OF LOSS ADJUSTERS

The Risks & Rewards of AI in Claims

Eddie Longworth, e2e Total Loss Claims Management



Code of Conduct for the Development of Artificial Intelligence

Context

The signatories to this voluntary Code of Conduct, be they individuals or organisations, are committing themselves to the highest standards of responsibility when planning, designing, or using AI in claims handling.

The content of this Code will guide our thoughts and actions, and be used to deliver fair, equitable, and accountable outcomes.

Safety, Security, and Robustness:

AI systems in claims handling must be developed and deployed with safety, security, and robustness. All information used to make decisions must be auditable, and conform with rigorous standards of cybersecurity.

Transparency and Explainability:

There must be a decision-making logic in the application that is transparent, explainable, and capable of scrutiny.

Settlement outcomes should be perceived to be trustworthy by the claimants themselves.

Fairness:

Claims systems that are driven or influenced by AI must ensure decisions are equitable. We will regularly audit data used in claims to uphold fairness across all demographics.

Technical standards that address AI fairness will be implemented.

Accountability and Governance:

We will establish governance mechanisms that define roles and responsibilities for the subsequent design and implementation of AI-driven systems. We will ensure that all decisions and subsequent actions are recorded, auditable, and ethically justifiable.

Contestability and Redress:

Claimants must have the means to challenge AI decisions. We will communicate clear procedures for claimants to dispute decisions, and ensure the decision-making process and outcomes for all complaints are transparent.

THE 127 EXPERTS WHO DRAFTED THE CODE

When the idea of the Code was first mooted it was clear that there would be a need for a huge range of expertise if the Code was to have any credibility and 'reach' into different corners of the insurance and supply chain sectors.

The call for voluntary contributors to the project was successful which is testament, no doubt, to the urgency of the subject. There were eventually 127 individuals from across the Group who had varying degrees of input to the Code, these included:-

- Insurers
- Lawyers
- AI Technical Experts
- Technology Businesses
- Heads of Ethics
- Broker Claims
- Loss Adjusters
- Trade Associations
- Market Research
- Customer Experience
- TPAs
- Supply Chain Fulfillment
- Car Hire
- Media
- Industry
- Consumer Claims Association
- Claims Managers
- Engineers
- Consultancies
- Salvage
- Estimating Systems

The work of bringing this disparate group together to reach a consensus has been made much easier by the huge support and co-operation and collaboration that every person brought to the discussions and we thank all of them for their contribution.

A Voluntary Code of Conduct for the Development, Implementation, and Use of AI in Claims

www.aicodeofconduct.co.uk

Insurance
Times
Award Winning
Initiative

The AI Uncertainty Index for Claims



Is the insurance community always intentionally fair, honest, and transparent in the judgements and decisions it makes in settling claims?

£55m DLG & £50m Admiral total loss settlements compensation



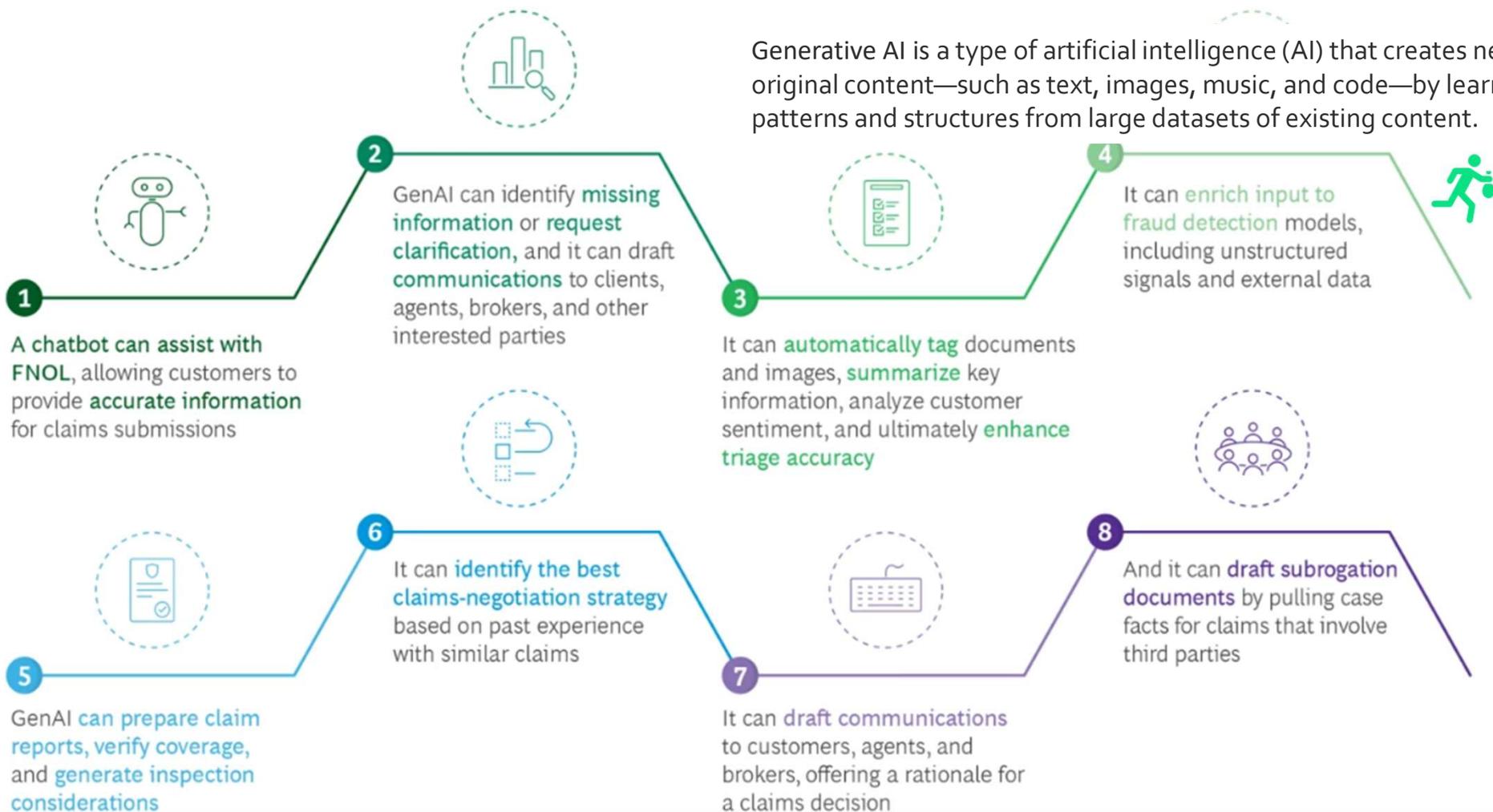
If a proportion of the admin effort needed to settle a claim was given over to AI applications, do you feel the intentional fairness, honesty and transparency of claims decisions would increase/decrease/same from what it is today?



If a proportion of the admin and judgements required to settle a claim was given over to AI applications, do you feel the intentional fairness, honesty and transparency of claims decisions would increase/decrease/same from what it is today?

Transforming the Claims Journey Through Generative AI

Generative AI is a type of artificial intelligence (AI) that creates new, original content—such as text, images, music, and code—by learning patterns and structures from large datasets of existing content.



Denial of 300,000 medical claims in 2 months



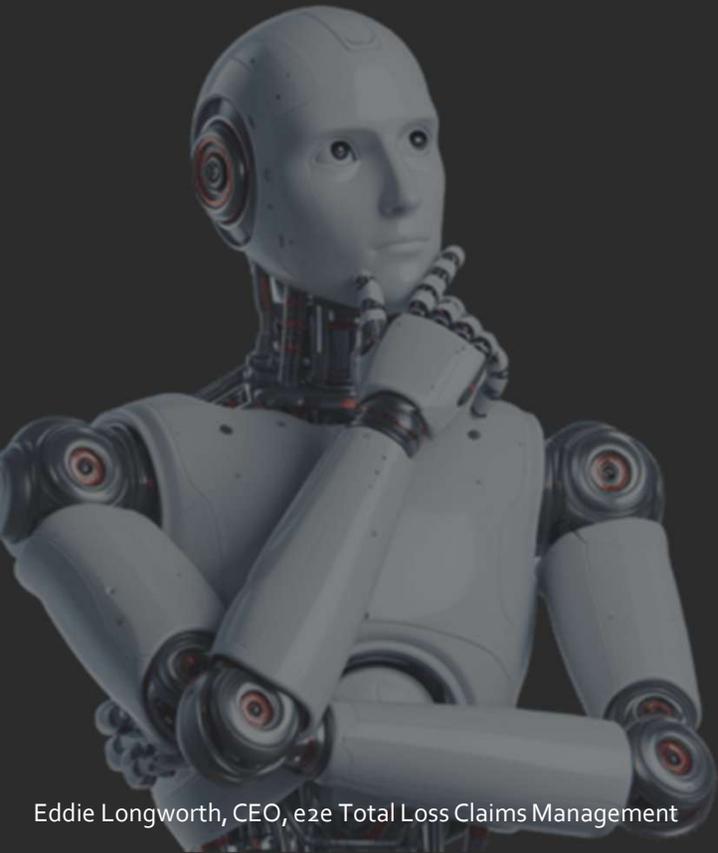
1. Data extraction and analysis

- **Unstructured data processing:** AI excels at extracting and structuring information from diverse sources, including emails, medical records, police reports, and even handwritten notes. This is crucial for complex claims where data is often fragmented and presented in various formats.

- **Faster and more accurate processing:** AI algorithms can rapidly analyze and process vast amounts of claims data, significantly reducing the manual workload and accelerating claims processing times from weeks to minutes in some cases.
- **Predictive insights:** AI analyzes data to predict potential issues like fraud or litigation risks, enabling proactive measures such as early settlement offers or deeper investigations. 

Launch of a class-action case against the insurer claiming \$millions of dollars in compensation

Power & Delegated Authority



Data Analysis and Pattern Recognition: AI algorithms analyze vast amounts of claim data, identifying patterns and correlations that humans might miss, aiding in assessing claim validity and risk.

Automated Document Processing: OCR and natural language processing (NLP) extract relevant information from documents, such as medical reports, police reports, engineer, fire authorities, enabling faster evaluation.

Fraud Detection: Detect anomalies and suspicious patterns indicative of fraud, helping insurers decide whether a claim warrants further investigation or approval.

Getting Better Every Day at Doing Your Job

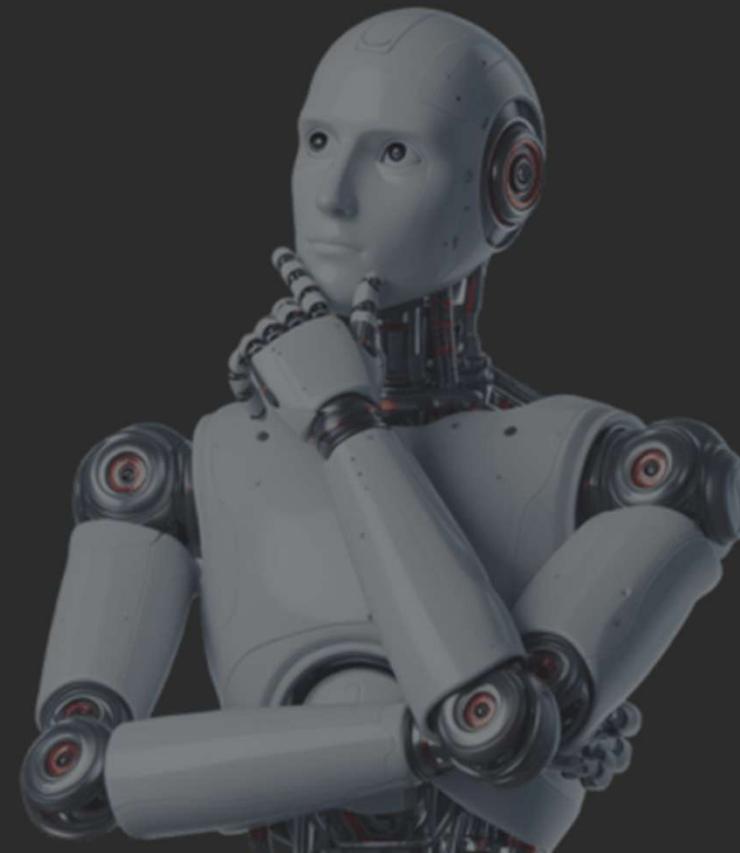
Predictive Analytics: Forecasts potential outcomes and settlement amounts based on historical data, claimant history, policy details, and external factors, guiding fair and consistent decisions.

Sentiment and Speech Analysis: In claims involving interviews or negotiations, AI tools analyze speech or sentiment to assess claimant honesty and identify potential issues in real-time.

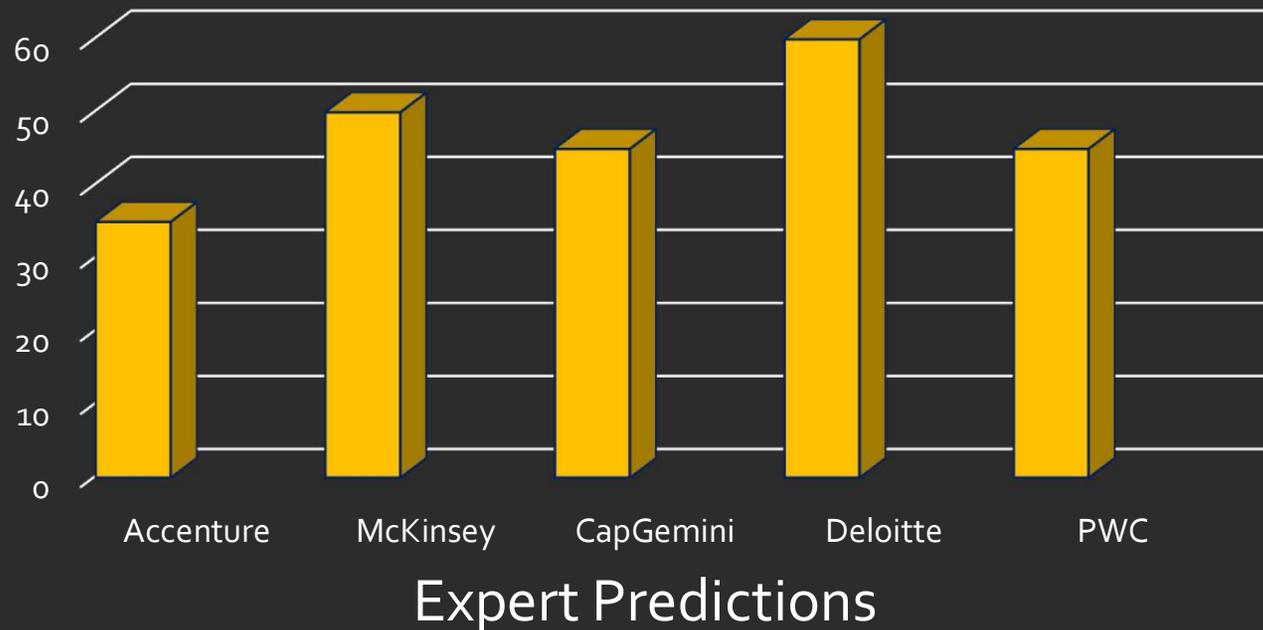
Decision Support Systems: AI provides adjusters with risk assessments, recommended settlement ranges, and priority alerts, supporting more consistent and evidence-based decisions.

Workflow Automation: Automates routine decision points and escalations, freeing human experts to focus on the most complex, high-stakes decisions.

Eddie Longworth, CEO, eze Total Loss Claims Management



% Reduction in Workload from Effective Application of AI in Claims



Complacency is not an Option

30% job losses
in the sector?



Same number of claims, less working time and skills needed to settle, spare resource becomes available, workforce adapts & shrinks to meet new needs

The successful employees will be those who are best able to understand and use AI

Whilst AI is still new, everyone has an equal chance

Those who get left behind – will soon be forgotten

Next Generation Agentic AI

Artificial Intelligence systems that don't just react or follow preset rules. They act with **autonomy**, **initiative** and **adaptability** to pursue goals.

Combines multiple types of AI that, together, make it capable of planning, action, learning and improving.



Make decisions based on context

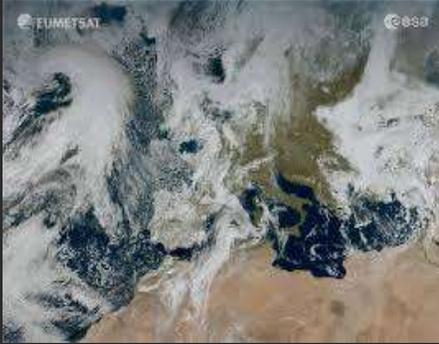
Break down goals into sub tasks and pursue them independently e.g. financial considerations

Reflect and adapt over time to get better

Eddie Longworth, CEO, eze Total Loss Claims Management



Agentic AI is brainpower that allows AI agents to act independently within unstructured environments. expand automation beyond specific, defined tasks and tackle complex, end-to-end processes



Complex Claims are not Exempt from the Power of AI

1. Damage Assessment via Satellite and Aerial Imagery: AI analyzes satellite images, drone footage, and photographs to rapidly evaluate the extent and severity of damage.

2. Image Recognition and Computer Vision: AI-powered image recognition algorithms identify damage types—such as flooded areas, collapsed structures, or burnt homes—and quantify the extent of destruction to assist in accurate claim valuation.

3. Predictive Modelling: AI models predict the potential cost and impact of a catastrophe based on historical data, meteorological information, and current events

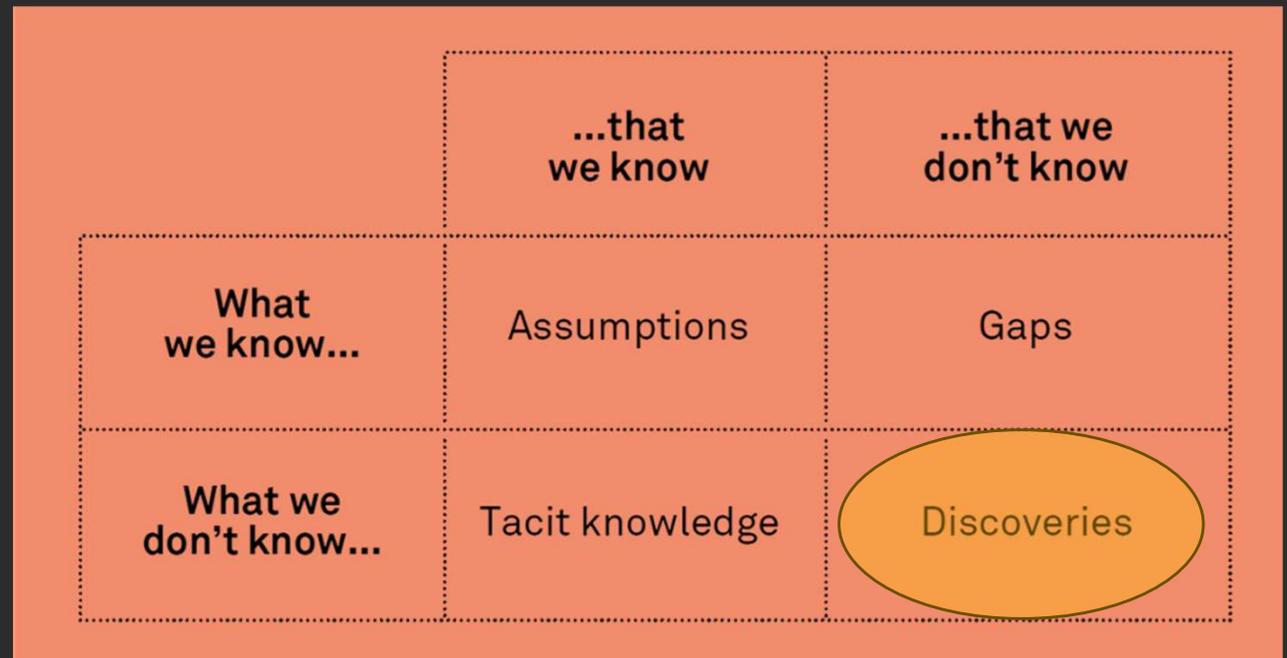
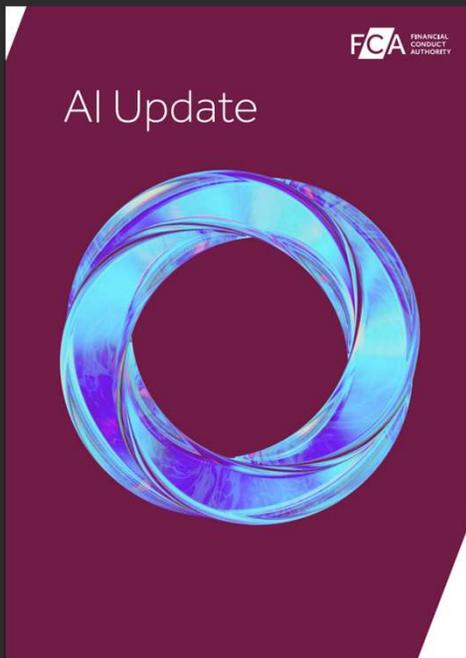
4. Claim Triage and Workflow Automation: AI automatically categorizes claims according to severity, urgency, and type, streamlining the processing workflow and ensuring faster responses for critical cases.

5. Fraud Detection and Verification: AI detects anomalies and inconsistencies in claims data to prevent fraudulent claims, which can spike after major disasters.

6. Real-time Data Integration: AI integrates data from multiple sources—social media, weather reports, emergency services—to provide situational awareness, verify claims, and support decision-making.

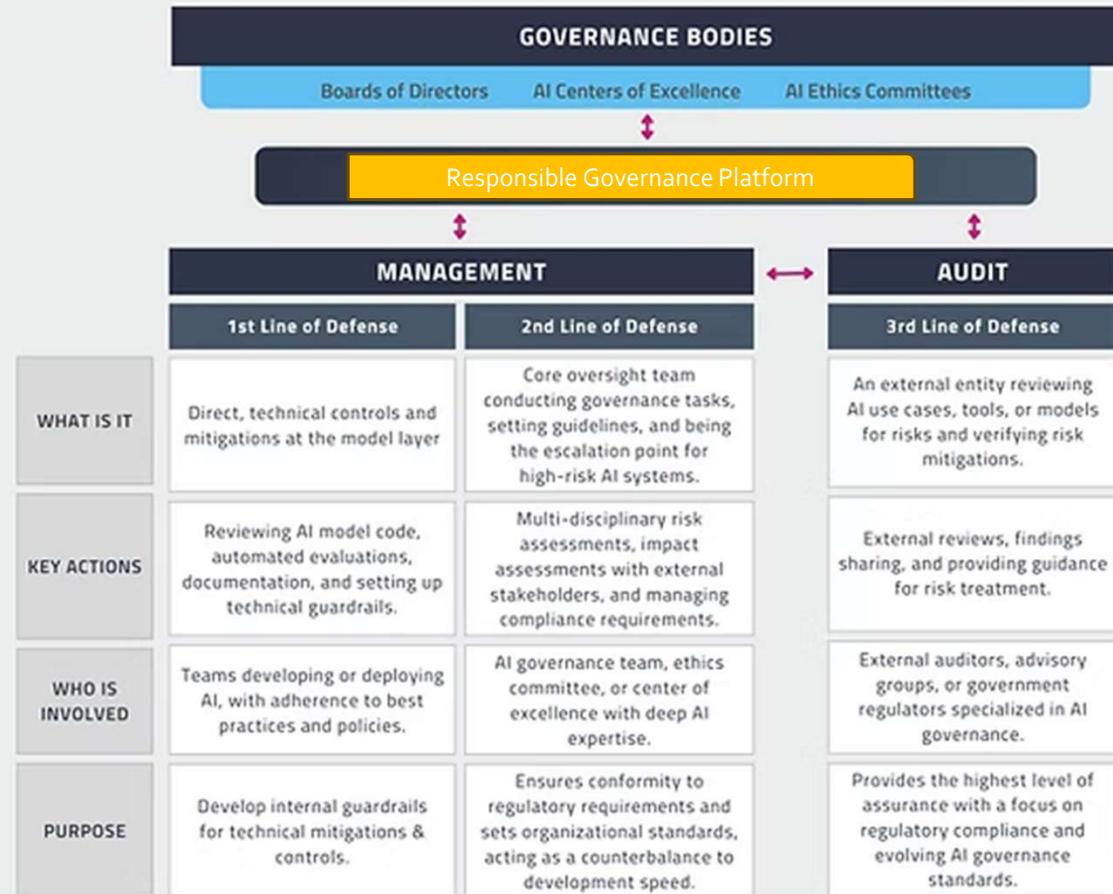


The Future is Unknown – but not Unknowable



AI Governance 3 Lines of Defense

AI is a Massively Wonderful Opportunity – and a Substantive Risk



- The future is human
- with AI ~~at our side~~
 - AI leading the way
 - Governance matters
 - Ethics matters more
 - Knowledge matters even more



Eddie Longworth, CEO, eze Total Loss Claims Management

Connect with Eddie on LinkedIn!

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