

# Partnership Opportunities Insurance Fraud Conference

October, 15th 2015  
Croke Park Conference Centre  
Dublin 3

Insurance Fraud  
– Stemming the Tide



2015

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# About Insurance Ireland

Representing 95% of the domestic insurance companies and 80% of the International Life Insurance market, Insurance Ireland is the voice of the sector in this country, making important representations on behalf of member companies to all of our stakeholders, including Government, media, customers and the wider public.

Insurance Ireland members pay out more than €5.4 billion in claims to Irish customers and contribute over €1.8 billion in tax to the Irish exchequer per annum. Our industry holds over €200 billion in assets in Ireland of which €30 billion is invested in Irish infrastructure and government debt. It generates €25bn in premium income (domestic and overseas) and employs more than 28,000 people.

As the voice of insurance companies in Ireland, Insurance Ireland's key functions include:

- Representing its members' interests to Government, state agencies, regulatory bodies, public representatives, other national interest groups, the media and the general public.
- Representing the position of members at a European level, particularly via Insurance Europe, the European Association for national insurance company representative bodies, and at a global level via the Global Federation of Insurance Associations (GFIA).
- Keeping members abreast of relevant policy and regulatory developments and providing a forum for member debates on such issues.
- Providing information to Government, the wider policy-making community and the public about insurance.

Insurance Ireland – The Voice of Insurance



## Welcome

**Kevin Thompson**  
CEO

We are excited to welcome you to the third Insurance Ireland Fraud Conference. Leading speakers from across Europe will be represented at this conference making it our most diverse fraud conference to date.

“Insurance Fraud – Stemming the Tide” is a unique event offering delegates the opportunity to hear from keynote speakers who are pioneering the latest information in vehicle data analytics and security, as well as hearing directly from those involved with recent high profile anti-fraud operations and task forces. The theme of this year's conference will help focus the agenda on key developments in the sector to help analyse, understand and combat fraud.

This Insurance Ireland event will explore how insurers can harness technological developments in capturing vehicle data, and will share insights into the process of building a multifaceted solution to ensure the long-term reduction of fraud. The latest data on the Irish claims environment will be shared, examples of best practice in fraud modelling will be discussed, and the event will also consider the true impact of fraud on the cost of claims.

We have engaged closely with industry leaders to ensure this conference is a landmark event for individuals and organisations associated with fraud. Insurance Ireland remains committed to playing its part in creating public awareness through its consumer campaign [www.insuranceconfidential.ie](http://www.insuranceconfidential.ie), as well as through the work of various Insurance Ireland committees dedicated to reducing the burden of fraud on the industry, and ultimately on the industry's genuine customers.

Last year more than 200 industry participants gathered to share their insights and expertise in the areas of fraud prevention, deterrence and detection. We know the benefit of attending our conference goes way beyond the day itself, allowing those that participate to develop their knowledge of advances in anti-fraud intelligence, extend their professional network and contribute to the future of the fight against insurance fraud.

*Kevin Thompson*

# Conference Theme, Programme, Keynote Speakers

Leading anti-fraud specialists will come together to share their knowledge and expertise at this high profile conference. The exciting programme features experienced domestic and European practitioners who work in the areas of fraud prevention, deterrence and detection. The speakers will share real world examples and strategies, offering practical insights that will help take your understanding to the next level.

This event is supported by Insurance Ireland's anti-fraud forum.

**LEADING  
ANTI-FRAUD  
SPECIALISTS  
SHARING  
KNOWLEDGE  
& EXPERTISE**

## Agenda for the Day

- 8.30am** **Registration – Tea and Coffee/Refreshments**
- 9.00am** Tom O'Brien, Liberty Insurance & Chairman of the Insurance Ireland Anti-Fraud Forum
- 9.05am** Kevin Thompson, CEO, Insurance Ireland
- 9.15am** **Overview of Operation Nascar involving staged accidents and fraudulent insurance claims (Crash for Cash)**  
Declan O'Sullivan, Detective Inspector, Cork City Garda Divisional Fraud Office
- 10.00am** **Use of technology to extract valuable data from vehicle electronic systems at the scene of an accident**  
Martin Coyne, CEO Digitpol Ltd, Cube Project Director, Launch Europe GMBH
- 10.45am** **Development and use of Fraud Modelling to reduce the risk of fraud**  
Danny Boles, Head of Special Investigations, Vhi Healthcare
- 11.15 am** **Refreshments Break**
- 11.30am** **Overview of current developments in the UK to reduce the level of fraud**  
David Hertzell, Chairman, UK Insurance Fraud Task Force
- 12.15pm** **Overview of initiatives to target the escalating cost of claims in Ireland**  
Allan Archer, Head of Claims, Aviva Ireland and Chairman of the Insurance Ireland Claims Committee
- 1.00pm** **Close** - Tom O'Brien, Liberty Insurance & Chairman of Insurance Ireland Anti-Fraud Forum

# Speaker Biographies

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**Declan O'Sullivan**  
*Detective Inspector*

Detective Inspector Declan O'Sullivan is based at Anglesea Street Garda Station Cork City. He is responsible for investigating all major incidents in Cork City involving crime, drugs, fraud and subversive activity.

He has 25 years experience as a Member of An Garda Siochana, the majority of which has been as a criminal investigator. He has worked on a number of high profile murders, money laundering and drug importation investigations as well as international credit card fraud which have all been successfully processed through the courts. He is an accredited and qualified Senior Investigating Officer (SIO) and regularly heads up major criminal investigations in that role. He is also a member of CEPOL (European Police College).



**Martin Coyne**  
*CEO of Digitpol LTD.*

In November 2013, Mr Coyne was appointed by Launch Tech. Co. to the position of Vice-President of the golo and CUBE projects; Launch Tech Co, a public company (stock code 2488) and recognised worldwide as a global professional player in the automotive aftermarket sector. Previous to this appointment, Mr Coyne served as Head of Technical Developments at the Operational Support Unit of the Rotterdam - Rijnmond Police. During his time at this Unit and while undertaking criminal investigations, Mr Coyne had the foresight, and recognised the critical need for specialised forensic tools which were capable of extracting vital digital data from electronic modules of vehicles involved in major road collisions/ fraudulent road collisions, and from vehicles/ electronic modules, suspected of being stolen or criminally

manipulated. As a result, Mr Coyne founded and invented the Cube concept which was to evolve into a full joint international project.

Mr Coyne is a former student and member of staff at UCD Centre for Cybersecurity & Cybercrime Investigation. He is an expert in Networks, Telecommunications, Forensic Computing and Cybercrime Investigation and has spent most of his career working on international criminal investigations. At present Mr Coyne is a member of a Law Enforcement unit, whose focus is on the fight against digital and vehicle crime, he is also a member of the Interpol SMV Task-Force, E.C.T.E.G European Cybercrime Training Education Group in which is hosted by EUROPOL and the IAATI.



### **Danny Boles**

*Head of Special Investigations Unit,  
Vhi Healthcare*

Mr Danny Boles has 23 years experience in the security, investigation and law enforcement field, focusing on loss reduction and fraud identification and resolution through the civil and criminal court process.

He is an experienced, knowledgeable criminal and civil investigator with a vast amount of experience developing from a traditional to an entrepreneurial fraud prevention professional, utilising academic research and knowledge to resolve and reduce fraudulent activity. Over the years he has been successful in dealing with major organised criminal activity, protecting business assets, reducing the financial risks and ensuring that actions were pursued against the perpetrators involved in fraudulent activity. Mr Boles has been effective in developing fraud and theft resolution models which have been proven to reduce business losses.

His qualifications include a Bachelor of Science - Risk and Security Management & Masters of Science - Police Science and Management – University of Portsmouth.

He has expertise in physical and procedural security, fraud investigations (financial/insurance), criminal interviewer, intelligence management, surveillance operative, security and fraud trainer.



### **David Hertzell**

*was Managing Partner of city law  
firm DAC until 2006*

Mr David Hertzell was Managing Partner of city law firm DAC until 2006. He was appointed a Law Commissioner in 2007 until 2014. He previously chaired the Airmic (the UK risk managers association) Captive Insurance Focus Group, is now an Airmic Board member and was a member of the BSI drafting committee on risk management.

He is currently president of the British Insurance Law Association and Chair of the CII Professional Standards Board. He is a pension fund trustee and sat as the independent member on the audit and risk committee of the Judicial Appointments Committee.

As Law Commissioner Mr Hertzell was responsible for various commercial and common law reform projects, including the reform of insurance contract law, the law relating to the supply of goods and services and the fiduciary duties of investment intermediaries. He now chairs the government task force on insurance fraud.



### **Allan Archer**

*Aviva's Head of General  
Insurance Claims*

Mr Allan Archer is Head of Claims, Aviva GI.

He has over 30 years claims experience across local, UK and global insurance markets. Allan chairs the Insurance Ireland Claims Committee which seeks to raise awareness of claims costs and drive change for the benefit of Consumers

Mr Archer's qualifications include ACCII, Dip LA, DLDC with extensive experience in the insurance, reinsurance and broking markets. He has key strengths in relationship management with excellent leadership skills and a proven track record in developing high performance teams and quality decision making.

He has strong technical insurance knowledge and an in-depth understanding of the claims management and audit functions.

# Why Participate

## NETWORKING AND PEER ENGAGEMENT

### GAIN INSIGHT FROM EXPERTS

Insurance Ireland Industry Fraud Conference is now in its third year. The conference builds on previous years' success and in 2015 we anticipate more than 200 delegates will join on the day. The delegates that have registered for this conference to date comprise mainly C-Level executives, functional heads and specialists at middle to senior management levels. These are the key decision makers within companies that can actively promote change within their organisation. Our delegates are cross sectorial therefore allowing for optimum networking and peer engagement at this event.

To ensure we attract the right audience we devised our conference topic and speakers based on member's needs and requests.

#### Benefits of attending:

- Learn from prominent presenters in a variety of information packed sessions that provide insights into the challenges that affect anti-fraud professionals today.
- Gain insight from experts in the field on the way fraud is evolving and hear about the latest developments in dealing with fraud.
- Take advantage of opportunities to extend your network with Insurance Ireland Members who share your challenges and goals.
- Enhance credibility – highlight your company's expertise to a captive audience.
- Generate new sales & form new partnerships – with registrants, vendors and speakers.
- Put your brand in front of the most influential referrers of business.
- Networking Opportunities - connect directly to very hard to reach people.
- Increase credibility, expand loyalty and build opportunities with existing clients through active participation.
- Reinforce and strengthen your brand position within the Insurance Industry in Ireland.

#### Insurance Ireland Fraud Conference Survey Results 2014

- Over 90 percent of respondents said they would attend the Insurance Ireland Fraud Conference in the future.
- Over 88 percent of respondents said that the 2014 Insurance Ireland Fraud Conference was relevant to their business challenges.
- 87 percent of respondents said that their objectives in attending the 2014 Fraud conference were met.
- 92 percent of respondents rated the 2014 conference as "good or excellent".

#### Testimonials from our 2014 Fraud Conference Understanding the True Impact of Fraud

'Excellent'

*Rosemary Ryan, IPB Insurance*

'This was a very worthwhile event. The speakers were well prepared and the venue was excellent'.

*Colm Somers, Thornton & Partners*

'very informative and friendly'

*David Dowling, GBFI*

'The 2014 Fraud Conference was excellent, really well organised with really interesting, relevant speakers. I would definitely recommend not only to those fighting fraud in a special Investigations Unit but to all claims handlers'.

*Sinead Nolan, RSA Insurance*

'Excellent event, very informative and a must attend for any company concerned about fraud.'

*Brian Greene, Assess Ireland*

# Individual Sponsorship Opportunities



<b>Day Delegate Participation</b> .....	<b>€245</b>
Conference Tea/Coffee break.....	€1,500
Conference Pen .....	€350
Conference Notepad .....	€350

*Further details of the specific branding on all of the above will be supplied on request.*

### Advertising Opportunities

<b>Full page</b> full colour advertisement in the conference programme.....	<b>€500</b>
<b>Half page</b> full colour advertisement in the conference programme .....	<b>€350</b>

### Exhibition Opportunities

We have capacity for only 10 exhibitors at the venue and these are available on a first come first served basis. The rate for exhibition only is €950 and includes the following inventory

The price includes:

- A trestle table, two chairs, baize and power supply.
- Access to the exhibition area and conference sessions, name badge and conference programme.
- The exhibiting company will be listed in the exhibition section in the conference programme.
- One exhibitor pass is included in every table top exhibitor - extra exhibitor passes need to be booked at a rate of €95 for a day delegate.

## CROKE PARK CONFERENCE CENTRE

### NOTE:

**All VAT registered Irish organisations availing of sponsorship and exhibition opportunities are subject to VAT at 23%. All VAT registered EU organisations will not be charged VAT on sponsorship if a VAT number is included on the booking contract attached so you can self-account for the VAT. All exhibitions are subject to VAT at 23%.**



# Partnership Opportunities

Three partnership options follow below, Platinum, Gold and Silver. In addition to the menu list associated with each option below, opportunities are also available for partners to become associated with specific speakers or themes during the conference in order to maximize appropriate activation opportunities. (These are subject to approval by Insurance Ireland for the Insurance Fraud conference).

## PLATINUM PARTNERS €10,000

A range of rights and benefits will be agreed to optimize the potential for this Platinum Partnership to meet your organisation's business and marketing objectives. We have identified an extensive list of components in this Platinum Package which are outlined below. There is a high degree of flexibility within this, to ensure that your organisation's specific partner requirements are achieved.

### Official Designation as Platinum Partner of the Insurance Fraud conference 15th October, 2015

- Logo coverage for your organisation on conference promotional materials in the run up to the conference which includes
- Ezine campaigns.
- Branding on the events page of the website to include your organisation's logo.
- Use of the image in your organisation's promotional activities tied to Insurance Fraud conference, once agreed with Insurance Ireland.

### Pre-show Benefits:

- Platinum Partnership announcement in the Insurance Ireland ezine campaign.

### Insurance Fraud Conference

- Complimentary prime table top exhibition space
- 6 Complimentary delegate registrations.
- Free full page colour advertisement in the Conference Programme (supply own artwork).
- Recognition from the podium at the start of the conference keynotes and the conclusion of last sessions.
- "Thank you to our partners holding slide" projected at the conference venue.
- Logo coverage for your organisation on the Croke Park Stadium screen during the coffee break. Photography will also be taken of the company representatives along with their logo on the screen. These images will be available to use in all future marketing materials. The dimensions of the screen are 656 x 256 pixels.
- Insert in the delegate pack.

### Post Event

- Post event fulfillment report which will outline the benefits of partnership.
- Coverage in our post event ezine.

# Partnership Opportunities

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## **GOLD PARTNER €5,000**

A range of rights and benefits will be agreed to optimise the potential for this Gold partnership to meet your business and marketing objectives, including subject to negotiation:

### **Official Designation as Gold Partner of the Insurance Fraud Conference 15th October 2015**

- Coverage for your organisation on conference promotional materials in the run up to the conference which includes
- An ezine campaign.
- Branding on the events page of the website to include your organisation's logo.
- Use of the image in your organisation's promotional activities tied to Insurance Fraud conference, once agreed with Insurance Ireland.

### **Insurance Fraud Conference**

- Complimentary table top exhibition space.
- 4 complimentary registrations.
- A half page colour advert in the conference programme.
- "Thank you to our Partners holding slide" Projected at the conference venue.
- Insert in the delegate pack.

### **Post Event**

- Post event fulfillment report which will outline the benefits of partnership.

## **SILVER PARTNER €3,500**

A range of rights and benefits will be agreed to optimize the potential as Silver Partner to meet your business and marketing objectives, including subject to negotiation:

### **Official Designation as Silver Partner of the Insurance Fraud Conference**

- Branding on the events page of the website to include your organisation's logo and biography.
- Use of the image in your organisation's promotional activities tied to Insurance Fraud conference, once agreed with Insurance Ireland.

### **Insurance Fraud Conference**

- Complimentary table top exhibition space
- 2 complimentary registrations.
- A quarter page colour advert in the conference programme.
- "Thank you to our Silver Partners holding slide" projected throughout the conference venue.
- Insert in the delegate pack.

### **Coffee Sponsorship €1,500**

- Company signage/pull-ups included at coffee break (provided by the sponsoring company). Location of signage is subject to approval by Insurance Ireland.
- Coffee break duration 30 minutes and is free to all delegates.
- Acknowledgement as coffee sponsor in the conference programme and from the podium prior to the break.
- Half page advert in the Conference Programme.
- Includes two conference registrations with access to the sessions.

There is a high degree of flexibility within this, to ensure that your organisation's specific requirements are achieved so if we've missed any of your particular requirements we can integrate these into your preferred package.

# Directory of Members

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## Life Members

-  
 Acorn Life  
 Ark Life  
 Aviva Life & Pensions  
 ECCU  
 Equitable Life  
 Friends First Life  
 Genworth Financial Assurance  
 Harcourt Life  
 Irish Life  
 London General Life  
 New Ireland Assurance  
 Phoenix Ireland  
 Quinn-life Direct  
 Royal London  
 Scottish Friendly  
 Standard Life  
 Sun Life of Canada  
 Zurich Life

## International Members

-  
 Aegon Ireland  
 Allianz Re  
 Allianz Worldwide Care  
 Augura Life  
 AXA Life Europe  
 AXA MPS  
 Barclays Insurance  
 Canada Life Europe  
 Darta Saving Life  
 Europ Assistance  
 Generali PanEurope  
 Hansard Europe  
 Hawthorn Life  
 Intesa Sanpaolo Life  
 Lawrence Life  
 MetLife Europe  
 New Technology  
 Old Mutual International  
 ParterRe  
 Prudential International  
 Scottish Mutual International  
 SEB Life International  
 St. James's Place International  
 XL Group

## Non-Life Members

-  
 ACE Europe  
 AIG  
 Allianz  
 Amtrust International  
 Aviva Insurance  
 AXA  
 DAS Group  
 DeCare Dental  
 Ecclesiastical  
 Euro Insurances  
 FBD  
 Genworth Financial Insurance  
 IPB Insurance  
 Liberty Insurance  
 London General Insurance  
 Mapfre Assistencia  
 RSA Insurance  
 Travelers Insurance  
 Zurich Insurance

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## Health Members

-  
 Aviva Health  
 GloHealth  
 Laya Healthcare  
 VHI Healthcare

## Associate Members

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 Accenture  
 Cunningham Lindsey  
 Deloitte  
 International Financial Data Services  
 Irish Progressive Services  
 KennCo Underwriting  
 Lloyds  
 Milliman  
 OSG  
 ProAdjust  
 Thornton & Partners  
 William Fry

# Anti-Fraud Forum Members

Name	Title	Company
Michael Horan	Non-Life Insurance Manager	Insurance Ireland
Michael Curtin	Operations Executive	Insurance Ireland
West Thornton	Insurance Confidential	Insurance Ireland
Lorraine Bracken	Claims Inspector	AIG Europe
David Donegan	Principal Investigator	AIG Europe
Orlagh Bardsley	Senior Underwriter	AIG Europe
John McGrath	Head of Claims Relationship Management	Allianz
Noel Burke	Fraud Investigations	Allianz
Eoghan Fitzpatrick	Motor Portfolio Underwriter	Allianz
Pat Balfe	Claims Manager	Aviva Insurance
Brendan Keane	Special Investigations Unit	Aviva Insurance
Emer Lynch	Underwriting Q A and Control Specialist	Aviva Insurance
Michael Bannon	Motor Product & Class Underwriting Manager	Aviva Insurance
Robert Smyth	Fraud Manager	Aviva Insurance
Audrey Purcell	Senior Technical Adviser	Aviva Insurance
Stephen Kurtz	Commercial Motor UPP	Aviva Insurance
Noelle Bourke	Senior Health Claims Manager	Aviva Health
Colm Featherstone	Fraud Investigations Manager, SIU	AXA Insurance
Graham Holohan	SIU Supervisor & Application Fraud	AXA Insurance
Frances McDonnell	SIU & QA Manager	AXA Insurance
Paul Nolan	Head of Underwriting	AXA Insurance
Ger Gavin	Chief Dental Officer	DeCare Dental Insurance Ireland
Maureen Walsh	General Manager	DeCare Dental Insurance Ireland
Joan Dixon	Senior Clerk - Claims Investigations Unit	FBD Insurance
Alan Burke	Claims Investigation Unit	FBD Insurance
Peter Brennan	Data Miner, Claims Investigation	FBD Insurance
Emmet Byrne	Underwriting & Application Fraud	FBD Insurance
Liam Warren	Underwriting & Application Fraud	FBD Insurance
Cliona Merrigan	Head of Claims	GloHealth
Julia Carmichael	Chief Compliance Officer	IPB Insurance
Jim Loughran	Claims Handler	IPB Insurance
Anne Rice	Claims Department	IPB Insurance
Alex Burke	Claims Manager	KennCo Underwriting
John McCall	Head of Provider Relations	Laya Healthcare
Tom O'Brien	Senior Manager - SIU	Liberty Insurance - Chairman
Karen Vincent	Underwriting Manager (Personal Lines)	Liberty Insurance
Mairead Carty	Underwriting Manager (Personal Lines)	Liberty Insurance
Andrew Buck	Head of Fraud	Liberty Insurance

Name	Title	Company
Anita Gallagher	Private Lines Risk Manger	Liberty Insurance
Dean Dowling	SIU Team Manager, Motor & Household	Liberty Insurance
Garrett Walsh	Claims Insight & Control Team Manager	RSA Insurance
Sinead Nolan	Liability Claims & Special Investigations Manager	RSA Insurance
Ciara Furlong	Head of Product, Underwriting & Risk Quality	RSA Insurance
John Grimes	Telematics Development Lead	RSA Insurance
Paul Moles	Technical Underwriter, Motor	RSA Insurance
Fergal O'Farrell	Fraud Application Lead	RSA Insurance
Tony Stewart	Claims Manager	Travelers Insurance
Alan Carroll	Small Business Underwriter	Travelers Insurance
Tony Hetheron	Development Underwriting Manager	Travelers Insurance
Danny Boles	Head of Special Investigations Unit	VHI Healthcare
Dawn Walsh	Deputy Compliance Director	XL Group
David Snow	Head of Special Investigations Unit	Zurich Insurance
Conor Stuart	Underwriting Quality Controller	Zurich Insurance

# Partnership Advertising & Exhibition Booking Contract

Please complete this form, scan it in and email it along with an EPS version of your company logo to Laura Farrell [laura.farrell@insuranceireland.eu](mailto:laura.farrell@insuranceireland.eu)

## Partnership

I would like to confirm:  
(Please specify what partnership you would like to confirm)

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## Advertising

1. Full page full colour advertisements in the conference programme: €500

**QTY:** \_\_\_\_\_

2. Half page full colour advertisements in the conference programme: €350

**QTY:** \_\_\_\_\_

**Total Net Cost:** € \_\_\_\_\_

**Plus VAT at 23%:** € \_\_\_\_\_

**Total Cost:** € \_\_\_\_\_

## Organisation's VAT Registration Number:

*(only if based in EU and outside of Ireland)*

If your organisation is in the EU, but based outside Ireland, please provide the organisation's VAT registration number and VAT will not be charged on sponsorship on the basis that you will self-account for the VAT.

Please note that VAT will be charged on the exhibition stand as it relates to land in Ireland. This VAT can be reclaimed however through the 8th and 13th EU Vat Directive.

## Contact Details:

Name: \_\_\_\_\_

Organisation: \_\_\_\_\_

## Address that will appear on the invoice:

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**City:** \_\_\_\_\_

**County:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Please email or return this form to the address below, if you require further information please contact:**

**Laura Farrell** Director of Membership Services  
Insurance Ireland, Insurance Centre, 5 Harbourmaster Place,  
IFSC, Dublin 1, DO1 E7E8

**Tel:** +353 1 6761820

**Mob:** +353 6447 787

**Mobile:** +353 86 410 9472

**Email:** [laura.farrell@insuranceireland.eu](mailto:laura.farrell@insuranceireland.eu)

## Payment Policy:

100% payment is due on booking. The sponsor/exhibitor's logo and company biography will not be included on any promotional materials until full payment is received.

## Cancellation Policy:

Cancellation within 4 weeks prior to the conference will incur a cancellation fee of 40%. Cancellation within 2 weeks prior to the conference will incur a cancellation fee of 100%. The cancellation fee of the sponsorship amount is subject to VAT at 23%

**Please note:** Full details of the exhibition area, set-up times, goods receipt, electricity etc. will be sent to you in November 2014.

# Defending against dubious whiplash claims

**The Insurance Ireland Anti-Fraud Forum met with industry experts to discuss whiplash claims which are a significant source of concern to insurers. The meeting and training event was held on 29th April last and was organised to examine ways to improve the management and outcome of whiplash claims. Whiplash claims, especially those associated with low speed impacts, are challenging to deal with due to the medical and legal difficulties encountered when trying to defend dubious claims. Tom O'Brien, Liberty Insurance and Chairman of the Anti-Fraud Forum summarises the issues based on inputs from the experts involved.**

Brian Henderson, General Manager at GBB Forensics (UK), explained the science behind low speed impacts and the potential consequences for occupants of a vehicle in a crash. He used video recordings to illustrate the movement of people in a vehicle at different speeds and impact directions, whether they are rear-end, head-on, side-swipe or side (T-bone) impact.

Mr Henderson demonstrated how the forensic examination of damage to a vehicle following an accident can be used to assess the likelihood of injury. Unfortunately, no matter how minor the impact, some people still purport to have suffered whiplash injuries. GBB are often asked to assess the circumstances of accidents where there is unlikely to have been any injuries involved. For example, if just the wing mirrors on two cars collide, it is highly unlikely that the occupants will suffer any physical injury or whiplash as a result.

Robert McQuillan, Consultant at the Blackrock Clinic, outlined the medical

issues and symptoms associated with whiplash injuries. Speed is often the determining factor, however, there are no objective measures for injuries caused by whiplash. This means that Doctors have to interpret what their patients are telling them and medical reports are often simply a restatement of the conversation between the Doctor and the patient. Mr. McQuillan went on to say that the severity and duration of injuries, ostensibly caused by whiplash, may in fact, have more to do with a patient's medical, personal, family, social and work circumstances than the actual severity of an impact.

Mr. McQuillan also cited some interesting statistics from other countries that seem to indicate a cultural predisposition or susceptibility to whiplash injuries. For example, people in the UK have the highest propensity to make whiplash claims with 76% claiming whiplash when injured in an accident. This compares to France and Belgium where less than 3% make similar claims. The UK is widely acknowledged to be the whiplash capital



**Tom O'Brien,**

*Liberty Insurance Chairman of the Insurance Ireland Anti-Fraud Forum*

of Europe, however, this may have more to do with the claims culture in the UK rather than fundamental differences in the types of injuries sustained in these countries.

Paul Burns, Senior Counsel, focused on the legal issues associated with presenting whiplash claims in Court, highlighting the fact that there is not a "separate legal concept of a low speed impact collision".

In general terms, if it's accepted that there was a collision and liability is not contested, then the Judge will usually make his decision based on the injuries presented to him irrespective of the circumstances of the accident.

The Judge will refer to medical and engineering evidence to help inform his judgement and to assist in determining the compensation that's payable to the injured party.

This places the policyholder and his or her insurer in a difficult position as they may contend that the impact was of such low severity that there should be no injury involved.

According to Mr. Burns, when defending these types of claims, the insurer should focus on causation and credibility of the plaintiff. In relation to causation, you must ensure that sufficient engineering evidence is available to support the



argument that the impact was unlikely to have caused an injury. This means providing evidence to show that the circumstances of the accident and the low severity of the impact could not have caused the injuries alleged.

However, Mr. Burns also cautioned that with reference to UK Court Case, *Armstrong V York* (2005), “We do not have trial by expert in this country, we have trial by Judge”. This means that the Judge will draw his own conclusions on the evidence that’s provided by the experts. Where there is a lack of compelling evidence to support either side’s argument, he may discount it in favour of the plaintiff’s evidence and medical report.

For this reason, insurers will also have to focus on the credibility of the injured party. If they can show that the person is telling untruths or is embellishing elements of their claim, it may cause sufficient doubt in the mind of the Judge to dismiss the case or reduce the compensation that’s payable.

There is no predefined format for defending whiplash claims. Each case is decided on its own merits. Insurers will have to assess the circumstances of each claim and then decide to defend or settle it.

Following the presentations, there was a lengthy and engaging “Q&A” session when attendees drew further on the knowledge and expertise of the speakers.

In summary, the event was very successful with over 120 insurance staff attending. It highlighted strategies and tactics that can be adopted when dealing with dubious whiplash claims. Decisions to defend or settle whiplash claims will depend on the circumstances of each claim. Where insurers are concerned about the veracity of whiplash claims, they should approach them in a consistent manner by focusing on causation and credibility when building the evidence to challenge these claims.

#### **About the Anti-Fraud Forum**

The Anti-Fraud Forum operates under the auspices of Insurance Ireland. The primary objective of the Forum is to change the perception “that insurance fraud is a victimless crime” as we all pay for it through higher premiums and additional costs in the industry. The Forum is committed to protecting genuine policyholders and the insurance industry from all forms of fraud. It achieves this by fostering an industry approach to dealing with fraud and by facilitating meetings, networking and training events for fraud investigation staff at insurance companies.





## Insurance Ireland Fraud Conference 2014

1. Adam Kelly, Accenture and Kevin Thompson, Insurance Ireland 2. Pictured are Mairead McCarthy, Liberty Insurance, Trevor Lowry, Liberty Insurance and Nicola Tracey, Liberty Insurance 3. David Wood, Chief Inspector, City of London Police, IFED 4. Room Shot 5. Business Forensics 6. Vision-net.ie 7. Platinum Sponsor Risk Intelligence 8. Cunningham Lindsey and exhibitors 9. Pictured are Catherine Gunne, Gardaí, Colm Fox, Gardaí, Dave Snow, Zurich, Gerard Jo Walsh, Gardaí and Padraig Lyons, FBD. 10. Tom O'Brien, Senior Manager – SIU, Liberty Insurance and Chairman of Insurance Ireland, Anti-Fraud Forum.

# About Insurance Confidential

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## Who are we?

“Insurance Confidential” is a lo-call confidential hotline run by Insurance Ireland. Since the hotline’s establishment in 2003 over 9,000 cases of suspected fraud have been reported.

The many forms of insurance fraud have one common effect – they increase the cost of insurance claims for insurance companies, which in turn increases premiums for honest policyholders.

For further information about Insurance Ireland and the work we do see [www.insuranceireland.eu](http://www.insuranceireland.eu).

## What is Insurance Ireland doing to combat insurance fraud?

Insurance Ireland is involved in many efforts to crack down on insurance fraud.

Operated from the offices of Insurance Ireland, the hotline “Insurance Confidential”, set up in 2003 is a hugely successful resource helping to combat fraud in Ireland.

Insurance Ireland in conjunction with the Garda Síochána have put in place “Guidelines for the reporting of suspected Insurance Fraud” to assist insurance companies in the referral of cases of suspected insurance fraud to the Gardai for criminal investigation.

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“Insurance Link”, the Insurance Ireland’s anti-fraud claims matching search engine is proving a useful tool as it allows insurance companies to cross reference individual claims with their fellow insurance companies.

Claims departments within individual companies have been beefed up through the employment of experts to detect fraudulent claims. In addition, having these specialist staff on board is helping the industry prepare for criminal prosecutions as well as the more familiar area of civil cases. Insurers also make use of private investigators for surveillance and related work.

Insurance Ireland lobbied the Government to address legal aspects of the problem, which has led to the inclusion of anti-fraud provisions in the Civil Liability and Courts Act 2004. The Act effectively introduces a specific offence of insurance fraud in relation to personal injury actions and offenders now face a fine of up to €100,000 and/ or up to 10 years in prison.

The combined effect of these measures is that the stakes have become much higher for fraudsters at every stage in the process. They act as an effective deterrent for would be fraudsters

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who might in other circumstances be tempted to make a fraudulent claim.

## Do these campaigns help reduce fraud?

Yes. These campaigns work. Insurers have been successful in identifying and successfully challenging a wide range of fraud. Fraud has been uncovered across all major lines of insurance business and a range of cases have been referred on for criminal investigation and successful prosecution by the Gardai.

INSURANCE FRAUD

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