



## **RICHARD JENNINGS**

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### **BIOGRAPHY**

Richard is a senior associate in BCLP's Insurance/Reinsurance team, sitting within the firm's Financial Services Disputes and Investigations group. He has a range of experience advising on contentious insurance and reinsurance matters, as well as on broader contractual and commercial disputes. Richard's experience extends to disputes settled by way of international arbitration and in proceedings before the High Court.

He has advised, and acted, on a range of matters including:

- Reinsurance coverage disputes arising from major losses such as COVID-19, 9/11, environmental liability and other catastrophes
- Alleged breaches of coverholder or binding authority agreements

- Insurance Linked Security (ILS) disputes, including issues concerning the recoverability of trapped collateral
- Disputes arising out of legacy deals, the sale of Lloyd's corporate members and associated accounting issues
- Complex insurance coverage disputes, including in relation to construction/property claims
- Reviews and re-drafts of insurance and reinsurance contract wordings

Prior to joining BCLP as a trainee in 2016, Richard spent two years assessing complaints about insurance products brought against financial institutions by individuals and micro-enterprises. He has also undertaken a six-month secondment in the legal team of a FTSE 100 company.

## ADMISSIONS

- England and Wales

## RELATED PRACTICE AREAS

- Business & Commercial Disputes
- Insurance
- Finance
- Litigation & Dispute Resolution
- Complex Coverage & Claims Disputes
- Insurance Regulatory
- Insurance Insolvency & Receiverships
- Insurance: Corporate & Transactional
- Captive Insurance
- InsureTech
- Insurance (Class Actions)

## RELATED INSIGHTS

Insights

Feb 13, 2024

### English Court decides Covid-19 is a “catastrophe”

The English Court has, for the first time, considered the meaning of a “catastrophe”, as well as how Hours Clauses work in the context of non-damage business interruption losses claimed under two Property Catastrophe Excess of Loss Reinsurance Treaties. While the Covid-19 pandemic may feel like a distant memory to some, disputes

about the recovery of Covid-19 losses continue to trouble many reinsureds and reinsurers. The two key issues considered by the Commercial Court in determining appeals from arbitration awards made in *Unipol Re v Covéa* and *Markel v Gen Re* may bring welcome, and valuable, guidance to those in the reinsurance industry debating these terms. Those underwriting or purchasing “catastrophe” covers may also want to carefully consider this judgment and whether the Court’s approach to the meaning of that word aligns with their coverage expectations.

Insights

Oct 19, 2022

## **Reinsurance: aggregation of COVID losses post-Stonegate**

Insights

Mar 02, 2022

## **Corbin & King: Denial of Access clause and Composite policy cover for COVID-19**

The Commercial Court has found in *Corbin & King Ltd v Axa Insurance UK Plc* that a Non-Damage Denial of Access (“NDDA”) clause responds to COVID-19 business interruption losses. Further, that where the policy provides cover by reference to the Insureds’ “business” where access to its “premises” was restricted, that the insured would be entitled to claim the sub-limit of cover in respect of each premises, for each lockdown or restriction. This decision, if upheld by appellate courts, could materially increase some insurers’ exposure to COVID-19 business interruption losses if they have underwritten comparable NDDA covers.

Insights

Feb 25, 2022

## **Is COVID-19 a Catastrophe?**

Insights

Feb 17, 2021

## **FCA Test Case - new declarations: The final hurdle**

Insights

Feb 17, 2021

## **Sacher and Jennings Author Article in ‘The Insurer’ on FCA Test Case**

Insights

Jan 15, 2021

## **Supreme Court hands down its judgment in the COVID-19 Business Interruption Insurance Test Case**

The UK Supreme Court in the Test Case on Business Interruption Insurance brought by the FCA on behalf of policyholders has decided that the FCA’s appeal (on behalf of policyholders) should be substantially allowed, with Insurers’ arguments widely dismissed. Jonathan Sacher and Richard Jennings consider what the judgment means for businesses and the (re)insurance market.

Insights

Nov 13, 2020

## **What to expect from the FCA Test Case appeal to the Supreme Court**

Insights

Nov 12, 2020

## **Can cedants aggregate their first and second lockdown COVID-19 losses?**

Jonathan Sacher and Richard Jennings analyse some of the reinsurance implications of the second lockdown