



Colin Wynter KC

QC: 2006

Year of call: 1984

A leading specialist in insurance
and commercial law



Email: colinwynterkc@maryonwynter.co.uk

Direct: +44 (0)20 3056 8878

Mobile: +44 (0)7704 903 378

General enquiries to Elton Maryon:

Direct: +44 (0)20 3056 8883

Mobile: +44 (0)7802 462 966

Email: eltonmaryon@maryonwynter.co.uk

Colin Wynter KC has specialised in insurance law for more than 35 years and has appeared in many leading cases during that period, as listed at end of this section.

Awards

Colin has been the recipient of numerous awards, including “Insurance QC of the year” (Chambers & Partners) and “Lawyer of the Week” (The Times). He has also been runner-up for Business Week’s “Lawyer of the Year” Award (a source of enduring frustration).

Policy Wording Revisions and Drafting

Following his success in the Supreme Court on behalf of asbestos cancer claimants in the long-running employer’s liability insurance Trigger Litigation, in which Colin had put together a coalition of insured parties for the purpose of bringing a test case against their liability insurers, Colin turned his attention to advising corporate insurance policyholders on the hidden perils lurking within their insurance wordings, out of which developed an extensive practice reviewing and revising, on behalf of corporate policyholders, insurers’ standard commercial policy wordings, across all classes. Colin has also drafted policy sections on behalf of insurers and brokers looking to create market-leading insurance clauses, terms and conditions.

Creation of Specialist Insurance Law Firm for Policyholders

Having been instructed for many years primarily by insurers and only latterly by commercial and corporate policyholders, many of whom had experienced difficulties in finding suitably expert insurance law firms able, prepared or willing to accept their instructions, either by reason of US style conflict impediments or in order to safeguard relationships with insurers, Colin decided that there was a need, both for reasons of fairness and if the development of insurance law under our common law system was to progress in the most favourable way for all, for the creation of an expert insurance law practice prepared and willing and always able, without conflicts, to accept instructions from and act on behalf of policyholders, individual and corporate, large and small. Thus in 2016, together with, Stuart Hill, formerly of Hogan Lovells, Colin founded the specialist insurance law, policyholder only, mixed legal practice law firm, Wynterhill LLP, for the purpose of providing an always conflict-free, specialist insurance practice, able to respond to every need of the corporate insured. Wynterhill LLP being

regulated by the SRA, Colin had to acquire the regulatory nous and understandings of a commercial, insurance solicitor.

Creation of Specialist Insurance Law Chambers

Wynterhill LLP having by 2019 swiftly become an established presence within the insurance market (now rated by all directories as a leading, specialist insurance firm), and having reached the level of over 20 fee-earners, Colin turned his attention to the creation of Maryon Wynter Chambers, which has been set up in order to enable Colin's barrister work to be conducted in the fully independent manner of the traditional Bar, enabling Colin once again to accept instructions from both Insurers and Policyholders, as per the Bar's "cab rank rule". Colin remains a consultant at Wynterhill LLP.

Public Access

Colin is authorised to accept instructions directly from individual corporate entities and members of the public, on insurance policy wordings, insurance coverage and claims disputes, without intercession of a solicitor. This is an advisory service only.

Mediation, other ADR and Arbitrations

Colin's complete independence makes him an ideal appointment for insurance arbitrations, mediations and other ADR procedures, particularly where the client, usually from overseas, is concerned about the arbitrator or mediator sharing chambers with either or both of the competing barristers.

Mentoring

Colin has, over the past twenty or so years, independently mentored a large number of prospective and actual young lawyers, some from as early as the GCSE or A level stages, through University days, through Bar exams, pupillage, tenancy and beyond. His only requirement is that the individuals should have shown the initiative themselves to have approached him. Having been a pupil master (now rebranded as "pupil supervisor") for several years prior to taking silk, a good number of Colin's former pupils are now themselves in silk.

Outside of the Law

Wine, Stevie Ray Vaughan, Joe Zawinul, Lancia cars, cats, long walks, all sports other than those which take place on snow or ice.

Publications

Author of Insurance chapter in “Law and the Business of Sport”, by David Griffith-Jones QC

Erstwhile editor of Reinsurance chapter in MacGillivray on Insurance Law

Languages

Fluent in French

Most Notable Cases

- MURRAY SCOTT -V- COPENHAGEN INSURANCE CO. (reinsurance dispute relating to first Iraq War and destruction of aircraft, including British Airways Boeing 747, at Kuwait Airport; one “event” or multiple “events”)
- RENDALL -V- COMBINED INSURANCE COMPANY OF AMERICA (whether employees fleeing Tower 2 of the World Trade Centre were on a “business trip”, evacuation having been practised following earlier attempt at destroying towers by underground bomb in car park)
- EMPLOYERS’ LIABILITY POLICY “TRIGGER” LITIGATION (DURHAM & OTHERS V BAI & OTHERS) (mesothelioma; whether cancers caused years after exposure fell to be covered under “occurrence” policy wordings referring to “injuries sustained” and/or “diseases contracted” during the typically 12 month period of insurance)
- SYNERGY V CGU & ORS (avoidance for non-disclosure, broker’s alleged negligence)
- GAN V TAI PING (the Holy Grail of “follow settlements” v “claims cooperation clauses” issues, their proper construction and operation relative to each other)
- GAN V TAI PING (NO 2)
- GAN V TAI PING (NO 3)
- NEW HAMPSHIRE INSURANCE COMPANY LIMITED -V- OIL REFINERIES LIMITED (loss of millions of flowers in Israel, just before Valentine season, due to defective heating oil)

- BRIT SYNDICATE V ITALAUDIT SPA (avoidance in relation to auditors, Grant Thornton, of failed Italian conglomerate, Parmalat)
- NGS V COVAC (unpaid fees in relation to emergency Covid evacuation of individuals from far flung places; summary judgment; incorporation of terms and UCTA reasonableness)
- PARSHALL V SOCIETY OF LLOYD'S (penetration of Lloyd's of London's immunity from suit on grounds of "bad faith" in relation to Underwriting Name's requested reversion to from limited to unlimited liability underwriting)
- ALDRIDGE & ORS V LIBERTY MUTUAL (whether insurer to be held to have waived information provided outside of renewal process to insurer's claims department)
- ASPEN INSURANCE UK LTD V ADANA CONSTRUCTION LTD (proper construction of public liability and product liability wordings and their inter-relationship within a combined contractors' liability policy)
- TRADE MICRONISING LTD -V- R J WALLACE (LLOYD'S SYNDICATE 386), J M MURPHY (LLOYD'S SYNDICATE 1161) AND INDEPENDENT INSURANCE CO LTD
- ROYAL & SUN ALLIANCE -V- FRANS MAAS (UK) LIMITED (carriage of goods, CMR)
- EQUITAS -V- BANCO DE SEGUROS DEL ESTADO
- PLANTATION TOURS (1973) LIMITED (T/A BRIMMER HALL ESTATES LIMITED) & WATERSPORTS ENTERPRISES LIMITED -V- THE INDEPENDENT INSURANCE COMPANY LIMITED
- AIG EUROPE SA -V- QBE INTERNATIONAL INSURANCE LIMITED
- ATLANTICA INSURANCE - PCW SYNDICATES. ATLANTICA INSURANCE - JANSON GREEN SYNDICATES
- GORDIAN RUNOFF LIMITED (FKA GIO INSURANCE LIMITED) -V- BROCKBANK SYNDICATES 861 AND 1209 ("BROCKBANK")
- PCW SYNDICATES -V- TOUCHLINE INSURANCE COMPANY LIMITED (FORMERLY MALVERN INSURANCE COMPANY LIMITED)
- GEOLOGISTICS LEP LTD -V- FINANCIAL SERVICE COMPENSATION SCHEME
- BROCKBANK UNDERWRITING LIMITED (AND OTHERS) -V- HERITAGE INDEMNITY COMPANY

- T&N LIMITED (FORMERLY KNOWN AS TURNER & NEWALL PLC AND TURNER AND NEWALL LIMITED((IN ADMINISTRATION) (2) THE ASSOCIATED COMPANIES OF T&N LIMITED IN ADMINISTRATION -V- (1) ROYAL & SUN ALLIANCE INSURANCE PLC (2) BRIAN SMITH (SUED ON HIS OWN BEHALF AND ON BEHALF OF ALL OTHER MEMBERS OF SYNDICATE 45/177 AT LLOYD'S DURING THE UNDERWRITING YEARS 1977 TO 1995) (3) RONALD LAIDLER (PART 20 DEFENDANT) CURZON INSURANCE LIMITED - (Insurance dispute arising out of claims against world's largest asbestos producer, in administration; construction of exclusions relating to "asbestosis" and "silicosis"; did those words include other asbestos caused cancers?)
- AEGIS ELECTRICAL AND GAS INTERNATIONAL SERVICES CO LTD V CONTINENTAL CASUALTY CO (explosion at refinery; incorporation or not of insurer's standard terms into insurance contract)
- KVAERNER & OTHERS -V- NEW HAMPSHIRE INSURANCE COMPANY RE: BETHLEHEM STEEL
- SOCIETE CENTRALE DE REASSURANCE -V- GUY CARPENTER & CO LTD (AS AGENTS FOR MARSH LTD
- EQUITAS & HILL -V- STRONGHOLD
- EQUITAS -V- BANCO DE SEGUROS DEL ESTADO
- MABEY AND JOHNSON V ECCLESIASTICAL INSURANCE CO (losses arising from negligent design of circa 15 unit construction bridges in Ghana and Nigeria)
- BARBER & OTHERS -V- IMPERIO REINSURANCE (UK) LTD
- EAGLE STAR INSURANCE COMPANY LIMITED -V- J N CRESWELL & OTHERS
- HOME & OVERSEAS INSURANCE COMPANY LIMITED -V- ARKWRIGHT MUTUAL INSURANCE COMPANY (F M GLOBAL) & PHILADELPHIA MANUFACTURERS MUTUAL INSURANCE COMPANY
- RE NEW CAP RE (examination on behalf of Ernst & Young,, in Supreme Court of New South Wales, of individuals allegedly responsible for collapse of New Re, for purpose of tracing and securing liquid funds and assets)
- BAKER V MCCALL (insurance dispute, Californian losses, to follow or not; involved cross-examination of former California Supreme Court Justice)
- ST PAUL SYNDICATE 183 -V- CX RE

- ARGONAUT INSURANCE COMPANY & OTHERS -V- FARMERS HOME MUTUAL COMPANY
- BERMUDA FIRE & MARINE INSURANCE COMPANY & OTHERS -V- KUWAIT INSURANCE COMPANY SAK
- ERC -V- AMERICAN NATIONAL INSURANCE - ACCIDENT AND HEALTH QUOTA SHARE TREATY
- EQUITAS LIMITED -V- (1) AXA GLOBAL RISK (UK) LIMITED (2) - (294) THE OTHER AXA GROUP COMPANIES
- HIH CASUALTY & GENERAL INSURANCE LIMITED (IN PROVISIONAL LIQUIDATION) -V- WURTTENBERGISCHE VERSICHERUNG AG
- NEW HAMPSHIRE INSURANCE COMPANY -V- G E FRANKONA RUCKVERSICHERUNGS - AG (FKA ERC FRANKONA RUCKVERSICHERUNGS - AG)
- NEW HAMPSHIRE INSURANCE COMPANY -V- CONTINENTAL CASUALTY COMPANY
- MARINE SPECIAL SERVICES INC -V- THE SHIOWNERS MUTUAL INSURANCE ASSOCIATION (LUXEMBURG) LTD
- LEXINGTON INSURANCE COMPANY LIMITED -V- ZURICH INSURANCE COMPANY
- CITY OF LONDON -V- DEUTSCHE AUSLANDS UND RUKVERSICHERUNGS AG (DARAG)
- MUNICH REINSURANCE COMPANY -V- COMMONWEALTH INSURANCE COMPANY