

CASEBOOK ON INSURANCE LAW. 2nd Edition. By E. R. H. Ivamy. [London: Butterworths. 1972. xxx + 240 pp. Paper back. £2.40].

Professor Ivamy's second edition of the casebook on Insurance Law is most welcome, especially as it contains a dozen new cases decided within the past five years.

These new cases have resulted in two additional sections being included in the casebook. Thus we find a new section on the Third Parties (Rights against Insurers) Act, 1930, which contains *Post Office v. Norwich Union Fire Insurance Society* [1967] 1 Lloyd's Rep. 216, C.A.; *Murray v. Legal and General Assurance Society Ltd.* [1969] 2 Lloyd's Rep. 405; and *Farrell v. Federated Employers' Insurance Association Ltd.* [1970] 3 All E.R. 632 (C.A.). The other new section concerns Motor Insurance and is entitled "The Rights of Third Parties against the Motor Insurers' Bureau". It contains *Randall v. Motor Insurers' Bureau* [1969] 1 All E.R. 21 and *White v. London Transport Executive and Motor Insurers' Bureau* [1971] 2 Lloyd's Rep. 256.

Perhaps the most interesting new case, which has a human touch to it, is that of *Gray v. Barr: Prudential Assurance Co. (Third Party)* [1971] 2 All E.R. 949. There, the defendant had shot and killed his wife's lover. He had apparently pleaded that it was an accident at the trial and had been acquitted of both murder and manslaughter. The administrators of the estate of the deceased lover brought an action for negligence, and the defendant sought to be indemnified under a comprehensive insurance policy, and brought in the Insurance Company as a third party. According to the excerpt of the judgment of Salmon L.J. cited by Professor Ivamy, the learned Lord Justice had to fall back on public policy which he admitted was "an unruly steed and should be cautiously ridden". The fact however still remains that even now "public policy" is a steed which judges still have to ride from time to time.

Coming now to the "format" of the Casebook, one finds that the "propositions" stated at the beginning of each case are helpful, especially to students of law who are unfamiliar with the principles involved. However, they could have a restrictive effect on the importance of a case, as that case might cover other points not covered by the "proposition". This disadvantage is partly remedied by Professor Ivamy by citing a case more than once in the appropriate sections. Thus we find the celebrated case of *Samuel (P) & Co. Ltd. v. Dumas* [1924] A.C. 431, being cited three times in the Part on Marine Insurance in three different sections.

Another point which might be raised is that as Professor Ivamy usually reproduces an excerpt of a judgment of one judge only, other important judgments in the same case are sometimes ignored. Thus, for example, in *Gray v. Barr (supra)* one finds only an excerpt from the judgment of Salmon L.J., whereas the equally important judgment of Lord Denning M.R. receives no recognition.

Moreover, being concise has its advantages and disadvantages. Thus while the simple and direct approach adopted by Professor Ivamy is certainly helpful to the uninitiated student reader, the probing student would find it necessary to refer to the actual law reports. Furthermore although a casebook is not intended to be used on its own to the exclusion of standard textbooks on the subject, it is nevertheless useful to have some comments on those important or controversial cases.

Nonetheless, there is no doubt that the new casebook will be welcomed by both students and practitioners who need a quick and ready reference, and that in due course we will be seeing a third edition of it.

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