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**How to better react to developments in
liability and insurance**

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The Impact of Liability Insurance on Tort Law

Christian Lahnstein

Tort law, first party insurance and liability insurance

Plaintiff

Defendant



First party insurance

Liability insurance

does presence or even availability motivate decisions against or in favour of liability?

both:

both

- first party cover avoids the liability question (vice versa: limiting first party cover, liability increases)

- increases liability extending standards of care, causation or damages

- first party cover increases liability: more costs + subrogation (vice versa: limiting first party cover, liability decreases)

- limits liability defending